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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES
10

11 BARBARA STREISAND,)
12 Plaintiff,)
13 vs.)
14 KENNETH ADELMAN, an individual;)
15 PICTOPIA.COM, a California corporation;)
16 LAYER42.NET, a California corporation; and)
DOE 1 through DOE 20, inclusive,)
17 Defendants.)

Case No. SC077257

**NOTICE OF MOTION AND MOTION BY
DEFENDANTS KENNETH ADELMAN &
PICTOPIA.COM FOR ATTORNEY'S
FEES PURSUANT TO CALIFORNIA
CODE OF CIVIL PROCEDURE
§ 425.16(c); MEMORANDUM OF POINTS
AND AUTHORITIES; DECLARATIONS
OF RICHARD B. KENDALL, LAURA A.
SEIGLE; AND SCOTT EDELMAN**

Complaint filed: May 20, 2003

Date: April 7, 2004
Time: 8:30 a.m.
Dept: H
Judge: Hon. Allan J. Goodman

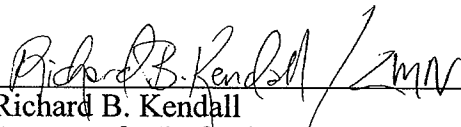
1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on April 7, 2004 at 8:30 a.m, in Department H of the
3 above-entitled Court, located at 1633 Purdue Ave., Los Angeles, California 90025, defendants
4 Kenneth Adelman and Pictopia.com (collectively "Defendants") will and hereby move the Court
5 for an award of their attorney's fees of \$204,069.50, pursuant to California Code of Civil
6 Procedure § 425.16(c). Defendants also request an award of the \$15,000 in fees they have
7 incurred in enforcing their rights under § 425.16(c).

8 This motion is based on this notice, the accompanying memorandum of points and
9 authorities, the Declarations of Richard B. Kendall, Laura A. Seigle, and Scott Edelman, the
10 exhibits attached thereto, the record and files in this action, such matters of which the Court may
11 take notice, and such further argument as may be presented to the Court at the time of the hearing.

12 Dated: March 4, 2004

IRELL & MANELLA LLP
Richard B. Kendall
Laura A. Seigle
Christopher M. Newman
Sandy S. Chung

17 By: 
18 Richard B. Kendall
19 Attorney for Defendants
20 Kenneth Adelman and Pictopia.com

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 INTRODUCTION

3 On May 20, 2003, Barbra Streisand filed a complaint to restrict Kenneth Adelman's public
4 speech concerning the protection of the California coastline. In response, Mr. Adelman and
5 Pictopia.com ("Defendants") each filed a motion to strike pursuant to California's anti-SLAPP
6 statute, Code Civ. Proc. § 425.16. Plaintiff's multiple causes of action, as well as the novel factual
7 circumstances in which they were raised, caused Defendants' counsel Irell & Manella LLP ("Irell")
8 to spend significant time researching and analyzing the legal issues and drafting the anti-SLAPP
9 motions. Irell also conducted wide-ranging factual research, gathering evidence as to the nature of
10 Streisand's alleged privacy interests, the extent to which her home had figured in public
11 controversies implicating the coastline, and the various occasions on which she had voluntarily
12 subjected it to public scrutiny for her own ends. On June 18, 2003, less than one month after
13 Streisand filed her complaint, Defendants filed their anti-SLAPP motions, supported by extensive
14 factual declarations and exhibits.

15 On July 3, 2003, Streisand filed an opposition to Defendants' motions. On July 11, 2003,
16 Streisand filed objections to the evidence Defendants had presented in support of their motions. In
17 response, Defendants filed a reply and additional supporting evidence, as well as responses to
18 Streisand's evidentiary objections, and also prepared objections to Streisand's purported evidence.
19 In addition, Irell attorneys spent substantial time preparing for and attending the four hearings held
20 by the Court to argue issues related to the anti-SLAPP motions.¹ After the July 18, 2003 hearing,
21 Irell undertook additional research and drafting after the Court invited Defendants to submit a
22 supplemental brief in response to several cases and statutes not appearing in Streisand's papers but
23 cited by her counsel at the hearing. Then, on September 29, 2003, the Court ordered the parties to
24 be prepared to argue at the October 3, 2003 hearing on an issue not specifically addressed in the
25 previous hearings. Finally, while the motions were pending, the California Supreme Court and the
26

27
28 ¹ The Court held hearings on July 14, 16, and 18, and October 3, 2003, at which the parties argued issues regarding the § 425.16 motion to strike.

1 Ninth Circuit issued new opinions related to issues addressed in the motions, and so Defendants
2 spent time considering and informing the Court as to the implications of these decisions.

3 The time expended by Irell was well-spent. After four days of oral argument and due
4 consideration of the parties' papers and evidence, this Court issued a 46-page opinion granting the
5 motions and dismissing Streisand's case against Defendants in its entirety.

6 As the prevailing parties, Defendants are entitled to recover their attorney's fees from
7 Streisand pursuant to § 425.16(c). In an effort to avoid the fees associated with further motion
8 practice, Defendants attempted to reach an informal resolution with Streisand regarding
9 reimbursement of their attorney's fees. To that end, they provided Streisand with full and detailed
10 documentation of the time spent and costs billed in connection with the anti-SLAPP motions,
11 excluding time spent solely in connection with other aspects of the case. Seigle Decl., Ex. A.
12 Moreover, in a series of letters, Defendants provided additional information requested by
13 Streisand. *Id.*, Ex. C, F. For the most part, however, Streisand persisted in raising general
14 objections to Irell's time sheets and billing rates without challenging specific items or suggesting
15 alternate figures. *Id.*, Ex. B, E. Because Streisand failed to engage in any meaningful meet and
16 confer or to suggest a single settlement figure, Defendants filed this motion.²

17 As documented below, Defendants seek attorney's fees totaling \$204,069.50, plus their
18 fees and costs in connection with this motion.³ The reimbursement of fees associated with an anti-
19 SLAPP motion is *mandatory* under the anti-SLAPP statute. Defendants are entitled to the *full*
20 recovery of all of these fees because the time their attorneys spent was reasonable in light of:
21 (1) the serious nature of the litigation and the amount at issue; (2) the difficult legal issues raised
22 by the complaint and motions – the Court's opinion runs to 46-pages and doubtless took a
23 considerable amount of time, even with the assistance of the parties' extensive briefing; (3) Irell's
24 skill employed in and attention given to the case, especially its development of legal arguments
25

26 _____
27 ² Defendants filed a separate cost memorandum seeking reimbursement of costs.

28 ³ Defendants have excluded from the present motion over \$80,000 in fees that were
incurred in connection with this lawsuit, but that were not directly related to the anti-SLAPP
motion. Kendall Decl. ¶ 8.

1 responsive to the complex issues and its uncovering of a strong factual basis for the motions, such
2 as prior public photographs of Streisand's house and publicly available information about her
3 residence on the Internet and in Malibu city files; and (4) the Defendants' complete success in
4 obtaining a dismissal of all causes of action against them. In addition, Irell's billing rates are
5 reasonable within the Los Angeles legal community for an experienced and respected law firm
6 handling a complex and sensitive case like this one.

7 ARGUMENT

8 Section 425.16 states: "[A] prevailing defendant on a special motion to strike *shall* be
9 entitled to recover his or her attorney's fees and costs." Code Civ. Proc. §425.16(c) (emphasis
10 added). This makes the award of attorney's fees and costs to a prevailing SLAPP defendant
11 mandatory. *See Ketchum v. Moses*, 24 Cal. 4th 1122, 1131 (2001) ("Thus under Code of Civil
12 Procedure section 425.16, subdivision (c), any SLAPP defendant who brings a successful motion
13 to strike is entitled to mandatory attorney fees."). The California Supreme Court has determined
14 that the lodestar method is the proper way to calculate attorney's fees under § 425.16. *See id.* at
15 1136. The lodestar amount is calculated by multiplying "the number of hours reasonably
16 expended . . . by the reasonable hourly rate" of defense counsel. *PLCM Group, Inc. v. Drexler*, 22
17 Cal. 4th 1084, 1095 (2000). The purpose of the lodestar amount is to award attorney's fees that
18 constitute fair market value. *Id.*

19 I. Defendants Have Documented A Reasonable Amount of Time, Especially 20 Considering The Complexity Of The Motions, And Their Success

21 A prevailing defendant is entitled under § 425.16 to recover all attorney's fees that are
22 accurately documented and reasonably spent.

23 A. Irell Accurately Documented The Time It Spent On The Motions

24 "[A]ccurate records of work done and time spent" provide sufficient evidence to support an
25 award of attorney's fees under § 425.16. *Martino v. Denevi*, 182 Cal. App. 3d 553, 558 (1986);
26 *see also PLCM*, 22 Cal. 4th at 1096 (stating that "[t]here was also sufficient evidence to support
27 the amount of the award" due to "the detailed documentation submitted"). Generally, "[t]estimony
28

1 of an attorney as to the number of hours worked on a particular case is sufficient evidence to
2 support an award of attorney fees." *Martino*, 182 Cal. App. 3d at 559.

3 Defendants have submitted with this motion a declaration by their counsel explaining the
4 process by which Irell accurately documents the work done and time spent for its clients, as well
5 as a detailed compilation of the time and work on the anti-SLAPP motions recorded by the Irell
6 attorneys and staff. *See* Kendall Decl. at ¶ 9 and Ex. B; Appendix A. This evidence is sufficient
7 to support the award of attorney's fees requested herein.

8 **B. The Time Irell Spent On the Motions Was Reasonable**

9 When a defendant prevails under § 425.16, the fee award to the defendant should "include
10 compensation for all hours reasonably spent." *Serrano v. Unruh*, 32 Cal. 3d 621, 624 (1982)
11 ("*Serrano IV*"); *see also Ketchum*, 24 Cal. 4th at 1133 ("fee awards should be fully
12 compensatory"). "The responsibility of the trial court is not to inquire into the motives of the
13 parties but . . . simply to determine whether the fees sought by the prevailing party are reasonable
14 in light of the work to be done." *Stokus v. Marsh*, 217 Cal. App. 3d 647, 654 (1990). In
15 determining reasonableness, the court considers factors such as "the nature of the litigation, its
16 difficulty, the amount involved, the skill required in its handling, the skill employed, the attention
17 given, the success or failure." *PLCM*, 22 Cal. 4th at 1096. "A more difficult legal question
18 typically requires more attorney hours." *Ketchum*, 24 Cal. 4th at 1138-39 (citation omitted).

19 Irell spent a total of 519.35 hours on the anti-SLAPP motions. This time is broken out and
20 categorized here and in the attached Appendix A. Of that total, it spent 315 hours in connection
21 with the moving papers, including (1) researching legal issues raised by the complaint and the
22 motions; (2) researching and preparing the factual support for the motions; (3) analyzing the legal
23 issues, communicating with clients, and motion management; and (4) preparing the motion papers
24 such as the memorandum of points and authorities, supporting declarations from Laura A. Seigle,
25 Kenneth Adelman, and Mark Liebman (President and CEO of Pictopia.com), exhibits, and
26 appendix of non-California authority. The total cost incurred from these four task categories
27 equals \$108,410. Kendall Decl., ¶ 9 and Ex. B; Appendix A.

1 Irell spent 49.5 hours on Streisand's opposition to the anti-SLAPP motions and Defendants'
2 reply, including (1) analyzing the opposition, researching legal issues, preparing factual support
3 for the reply, communicating with clients, and motion management; and (2) drafting and filing the
4 reply papers, including supporting declaration, exhibits, and an appendix of non-California
5 authorities, for a total cost of \$22,561.25. Kendall Decl., ¶ 9 and Ex. B; Appendix A.

6 Irell spent 154.85 hours in connection with the four lengthy hearings on the anti-SLAPP
7 motions and supplemental briefing, including (1) drafting responses to evidentiary objections,
8 preparing objections to Streisand's evidence, preparing for the hearings, analyzing cases cited for
9 the first time by Streisand's counsel during argument and drafting a supplemental brief on these
10 cases, reviewing and submitting new California Supreme Court and Ninth Circuit case law,
11 preparing to discuss additional issues as requested by the Court on September 29, 2003,
12 communicating with the client regarding these matters; and (2) attendance at hearings, for a total
13 of \$73,098.25. Kendall Decl., ¶ 9 and Ex. B; Appendix A.

14 All of this time was reasonable, given the "the nature of the litigation, its difficulty, the
15 amount involved, the skill required in its handling, the skill employed, the attention given, the
16 success or failure." *PLCM*, 22 Cal. 4th at 1096.

17 1. **The nature of the litigation and the amount involved make the time**
18 **spent reasonable**

19 The basis of Defendants' anti-SLAPP motions was that this action arose from acts "in
20 furtherance of [Defendants'] right of petition or free speech . . . in connection with a public issue."
21 Civ. Proc. Code § 425.16(b)(1). Specifically, Streisand sought to restrict Defendants' First
22 Amendment right to comment on a matter of great public interest – the preservation of the
23 California coastline – by asking this Court to order the removal from his website of photographs
24 showing her property. Complaint, ¶¶ 37, 47, 57, 64. "The right to free speech is, of course, one of
25 the cornerstones of our society." *Hurvitz v. Hoefflin*, 84 Cal. App. 4th 1232, 1241 (2000). Thus,
26 any action requesting a court to restrain a party's free speech is an extremely serious matter. *See*
27 *id.*; *Wilson v. Superior Court*, 13 Cal. 3d 652, 660 (1975). By seeking prior restraint of Mr.
28 Adelman's free speech, Streisand elevated the nature of this litigation to critical importance, which

1 was reflected in the great care and time that this Court dedicated to the argument and papers and
2 the drafting of the Court's opinion.

3 In addition, Streisand sought a minimum of ten million dollars in alleged damages, plus
4 pre and post judgment interest. Complaint at ¶¶ 35, 45, 55, 60. A damage prayer of ten million
5 dollars, even if inflated and based on unsound legal theories, needs to be taken seriously,
6 especially by an individual defendant such as Mr. Adelman and a small company such as
7 Pictopia.com.

8 Both the serious nature of the litigation and the significant amount at issue made the time
9 Irell spent on the anti-SLAPP motions eminently reasonable.

10 2. **The difficulty of the issues and the skill required make the time spent**
11 **reasonable**

12 In addition, the time expended by Irell in analyzing, researching, and preparing the anti-
13 SLAPP motions, reply, supplemental brief and accompanying evidence and declarations, and in
14 preparing for the four lengthy hearings, was reasonable considering the difficult nature of the
15 issues and the skill required to explain them in a clear and persuasive manner. In particular, the
16 scope of the California Constitutional right to privacy, the relationship between the Constitutional
17 right and the common law right, and the application of these rights to this type of factual situation
18 had not been fully developed by the courts. Indeed, this Court's analysis of these questions took
19 29 pages of its opinion. Statement of Decision at 14 to 42, in particular *see* 40:22-41:1 ("From
20 *Melvin v. Reid* to contemporaneous cases, no court decision has extended the shield of the Privacy
21 Clause to facts similar to those presented in the instant case."). The difficulty of these issues is
22 amply illustrated by the facts that the motions required four days of hearing, the Court ordered
23 additional argument on certain issues, and the Court's decision was 45 pages in length.

24 3. **The skill that Irell employed in and the attention it gave to this matter**
25 **makes the time it spent reasonable**

26 The anti-SLAPP motions required the skill and attention that Irell brought to this matter.
27 As discussed above, the complaint raised difficult legal issues, necessitating extensive and skillful
28 legal research, analysis, and briefing. During the days of hearing, the Court and Streisand's

1 attorneys raised other new issues that required further research, analysis, and briefing. For
2 instance, during argument, Streisand's attorneys cited to cases that had not appeared in Streisand's
3 papers and the Court suggested that the parties submit additional briefing on the newly-cited
4 authority. In addition, after three days of hearings, on September 29, 2003, the Court ordered
5 additional argument on an issue that had not yet been addressed – whether a jury, rather than the
6 Court, was required to determine if Streisand had an objectively reasonable expectation of
7 seclusion – and invited further argument on questions concerning a public figure's right to privacy.
8 During the time that the motions were pending, the California Supreme Court and the Ninth
9 Circuit issued new opinions relevant to the motions, which Defendants brought to the Court's
10 attention. All of these matters required the ongoing attention of Defendants' attorneys, as is
11 reflected in Appendix A.

12 The proper development of the factual record also required Irell's skill and attention to
13 detail. Irell attorneys had to take time to understand the process and equipment that Mr. Adelman
14 used to take the photographs appearing on his website (an issue made relevant by Streisand's claim
15 that he used a visual enhancing device), what photographic information was available on the
16 website and whether the photographs could be enlarged to show details not otherwise apparent (an
17 issue made relevant by Streisand's claim that the photographs could be enlarged and that they
18 revealed details of the interior of her house), and how Pictopia.com retrieved a photograph's file to
19 process an order for a print (an issue made relevant by Streisand's claim that Pictopia.com invaded
20 her privacy and right of publicity by printing and selling the photographs).

21 Irell's research also uncovered the March 9, 1998 *People Magazine* article that included an
22 aerial photograph of Streisand's residence similar to the photograph at issue in this case, as well as
23 interior and exterior photographs of Plaintiff's residence published by news organizations and
24 made available to the public on the website barbratimeless.com. The research revealed that
25 Streisand has been outspoken about certain public and political issues on her own website and by
26 hosting a presidential fundraiser at her estate, and that information about her residence is in the
27 City of Malibu's public record and on fan websites. The relevance of this evidence is substantiated
28 by the Court's references to each of these pieces of evidence in its decision. Statement of Decision

1 at 4:5-9, 7:8-8:17, 36:16-23, 39:9-25, 43:17-20. Indeed, the court admitted for relevant purposes
2 19 of the 22 exhibits offered by Defendants. Kendall Decl., ¶ 9. Tracking down all of these
3 sources of information was time-consuming and required considerable skill and creativity.

4 It is also important to note that in performing this work, Irell used a cost-effective strategy
5 of flexible staffing. Where possible, such as with the bulk of legal and factual research, tasks were
6 assigned to less costly timekeepers such as research librarians and summer associates. Similarly,
7 the senior partner representing Defendants, Richard Kendall, minimized the time that he spent on
8 the research and writing. This strategy minimized the hours billed by higher-billing attorneys.

9 See Appendix A.

10 **4. Defendants' success in obtaining a complete dismissal of Streisand's**
11 **claims makes the time Irell spent reasonable**

12 The success of the anti-SLAPP motion also demonstrates the reasonableness of Irell's time.
13 The anti-SLAPP motions successfully and completely terminated Streisand's case against
14 Defendants less than seven months after she filed the complaint.

15 **II. The Hourly Rates Of Defendants' Attorneys Are Reasonable**

16 Defendants' attorneys and legal staff are entitled to be compensated at hourly rates that
17 reflect the market value of their services in the community. *Serrano IV*, 32 Cal. 3d at 643; *see*
18 *also PLCM*, 22 Cal. 4th at 1095 ("The reasonable hourly rate is that prevailing in the community
19 for similar work."). Counsel's rates are reasonable if they are within the range of rates charged by
20 comparable private attorneys. *Serrano IV*, 32 Cal. 3d at 643. A court may also consider the
21 attorneys' skill and experience, the nature and difficulty of the work performed, the relevant area
22 of expertise, and the attorneys' customary billing rates. *Flannery v. Cal. Highway Patrol*, 61 Cal.
23 App. 4th 629, 632-33 (1998).

24 The anti-SLAPP motions were the product of work by three Irell attorneys: Senior Partner
25 Richard Kendall (hourly rate \$620), Partner Laura Seigle (hourly rate \$490), and Associate Chris
26 Newman (hourly rate \$335). Legal and factual research and preparation of exhibits were
27 performed mainly by summer associates, library research staff, and paralegals (at hourly rates of
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1 \$190 for summer associates, \$175 for library research staff, and \$110 and \$285 for paralegals).

2 See Kendall Decl., ¶¶ 10-15.

3 *Skill & Experience, Nature & Difficulty.* Considering Irell's skill and expertise and the
4 nature and difficulty of the issues raised by the complaint and anti-SLAPP motion, the rates noted
5 above are entirely reasonable and customary. Irell's rates reflect the market value in Los Angeles
6 of the type of skill and experience sought by sophisticated clients facing serious legal problems,
7 such as the threat of an injunction quashing free speech, and a wealthy and famous plaintiff like
8 Streisand. See Kendall Decl., ¶ 16; Edelman Decl., ¶¶ 6-8. Indeed, Irell's rates are well within the
9 range of rates charged by other highly-respected and experienced litigators at Los Angeles firms
10 such as Gibson, Dunn & Crutcher and O'Melveny & Myers. Edelman Decl., ¶ 7. It is reasonable
11 in such a situation for Defendants to seek the services of an experienced and well-respected firm
12 like Irell that charges rates at the high end of the range.

13 *Expertise.* The reasonableness of Irell's rates is substantiated by the fact that Irell attorneys
14 have litigated many cases involving free speech, right of privacy, and right of publicity claims, and
15 have made many anti-SLAPP motions. Kendall Decl., ¶ 16. These numerous cases give Irell a
16 depth of expertise upon which to draw.

17 *Customary Rates.* The rates Irell charged in connection with the anti-SLAPP motions are
18 its customary rates. Kendall Decl. at 16. Courts have found Irell's customary rates to be
19 reasonable. See, e.g., *State of California v. Pacific Indemnity Company*, 63 Cal. App. 4th 1535,
20 1557 (1998) (ordering losing party to "compensate Irell & Manella at its regular hourly rate").

21 In addition, comparable fee awards made by other California courts pursuant to § 425.16
22 support the reasonableness of Defendants' total fee claim of \$204,069.50. See, e.g., *Metabolife*
23 *Int'l Inc. v. Wornick*, 213 F. Supp. 2d 1220, 1228 (S.D. Cal. 2002) (award of \$318,687.99 under
24 § 425.16(c) including appellate fees); *Church of Scientology v. Wollersheim*, 42 Cal. App. 4th 628,
25 658-60 (1996) (award of \$130,506.71 under § 425.16(c) at rates that reflected market value more
26 than seven years ago). The *Metabolife* case is particularly instructive because it is a more recently
27 published case (decided in 2002) that discusses the awarding of attorney's fees under § 425.16.
28 The SLAPP defendant in *Metabolife* employed what that court characterized as a "large, well-

1 respected law firm." *Metabolife*, 213 F. Supp. 2d at 1223, 1228 (*Metabolife's* counsel were
2 attorneys at Luce Forward and Burns & Levinson). In that case, a total of \$226,572.50 in
3 attorney's fees was awarded for legal work done before appeal. *Id.* at 1228. Considering the fact
4 that the *Metabolife* pre-appeal fee award of \$226,572.50 was based on attorney billing rates that
5 were customary more than four years ago, *see id.* at 1222, Defendants' fee request of \$204,069.50,
6 which is based on 2003 rates, is well within the range of reason. Hence, Defendants' fee request
7 should be granted in its entirety.

8 **III. Defendants Also Are Entitled To Attorney's Fees For This Motion**

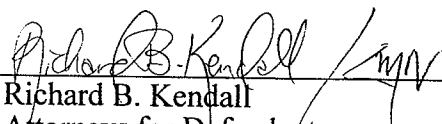
9 Defendants are also entitled to the attorney's fees incurred in litigating this fee motion.
10 *Ketchum*, 24 Cal. 4th at 1141 ("[A]n award of fees may include not only the fees incurred with
11 respect to the underlying claim, but also the fees incurred in enforcing the right to mandatory fees
12 under Code of Civil Procedure section 425.16."). Defendants have already incurred approximately
13 more than \$15,000 in fees for analyzing, research, and drafting this motion for attorney's fees.
14 Kendall Decl. ¶ 17.

15 **CONCLUSION**

16 For the reasons set forth above, Defendants respectfully request that their motion for
17 \$204,069.50 in attorney's fees, plus \$15,000 in fees incurred in enforcing their right to fees, be
18 granted pursuant to § 425.16(c).

19 Dated: March 4, 2004

20 IRELL & MANELLA LLP
21 Richard B. Kendall
22 Laura A. Seigle
23 Christopher M. Newman
24 Sandy S. Chung

25 By: 
26 Richard B. Kendall
27 Attorneys for Defendants
28 Kenneth Adelman and Pictopia.com

Appendix A

1 **APPENDIX A – LODESTAR CALCULATIONS**

2 **PREPARATION OF MOVING PAPERS**

3 **LEGAL RESEARCH AND ANALYSIS**

	Rate	Hours Expended	Lodestar Amount
4			
5 Chris Newman, Associate	\$335	21.75	\$7286.25
6 Lara Cooper, Associate	\$295	5.5	\$1622.50
7 Summer Associates	\$190	80.75	\$15,342.50
8 Research Librarians	\$175	6.25	\$1,093.75
9		114.25 Total Hours	\$25,345 Total Cost

10 **FACTUAL RESEARCH**

	Rate	Hours Expended	Lodestar Amount
11			
12 Summer Associate	\$190	4.25	\$807.50
13 Senior Legal Assistant	\$285	13.25	\$3776.25
14 Litigation Clerk	\$110	1.5	\$165.00
15 Research Librarians	\$175	5.75	\$1006.25
16		24.75 Total Hours	\$5755.00 Total Cost

17 **CLIENT COMMUNICATIONS, LEGAL ANALYSIS, MOTION MANAGEMENT**

	Rate	Hours Expended	Lodestar Amount
18			
19			
20 Laura Seigle, Partner	\$490	6	\$2940
21 Richard Kendall, Senior Partner	\$620	17.5	\$10,850
22		23.5 Total Hours	\$13,790 Total Cost

23 **DRAFTING MOTION, DECLARATIONS, AND ACCOMPANYING PAPERS**

	Rate	Hours Expended	Lodestar Amount
24			
25 Chris Newman, Associate	\$335	85.5	\$28,642.50
26 Laura Seigle, Partner	\$490	51.25	\$25,112.50
27 Richard Kendall, Senior Partner	\$620	15.75	\$9765.00
28		152.5 Total Hours	\$63,520.00 Total Cost

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PREPARATION OF REPLY PAPERS

RESEARCH, ANALYSIS, CLIENT COMMUNICATIONS, MOTION MANAGEMENT

	Rate	Hours Expended	Lodestar Amount
Research Librarians	\$175	2.75	\$481.25
Senior Legal Assistant	\$285	.50	\$142.50
Chris Newman, Associate	\$335	9.5	\$3182.50
Laura Seigle, Partner	\$490	6	\$2940.00
Richard Kendall, Senior Partner	\$620	3.5	\$2170.00
		22.25 Total Hours	\$8916.25 Total Cost

DRAFTING REPLY, DECLARATION, AND ACCOMPANYING PAPERS

	Rate	Hours Expended	Lodestar Amount
Laura Seigle, Partner	\$490	25	\$12,250.00
Richard Kendall, Senior Partner	\$620	2.25	\$1395.00
		27.25 Total Hours	\$13,645.00 Total Cost

HEARING PREPARATION

PREPARING OBJECTIONS AND RESPONSES, PREPARING FOR ARGUMENT, ADDRESSING ISSUES ARISING DURING HEARINGS, SUPPLEMENTAL BRIEF

	Rate	Hours Expended	Lodestar Amount
Research Librarians	\$175	4.25	\$743.75
Senior Legal Assistant	\$285	11	\$3135.00
Chris Newman, Associate	\$335	22.5	\$7,537.50
Laura Seigle, Partner	\$490	43	\$21,070.00
Richard Kendall, Senior Partner	\$620	21.1	\$13,082.00
		101.85 Total Hours	\$45,568.25 Total Cost

ATTENDANCE AT HEARINGS

	Rate	Hours Expended	Lodestar Amount
Senior Legal Assistant	\$285	2.5	\$712.50

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Chris Newman, Associate	\$335	5.5	\$1842.50
Laura Seigle, Partner	\$490	22.5	\$11,025.00
Richard Kendall, Partner	\$620	22.5	\$13,950.00
		53 Total Hours	\$27,530 Total Cost

1 5. In order to determine the fees incurred in connection with the § 425.16 motion, we
2 first took the step of asking our accounting department to print out a detailed time and expense
3 report for the relevant client-matter number, but limited to the period of time between June 2,
4 2003, when we began work on the anti-SLAPP motion, and October 3, 2003, the date of the last
5 hearing held in connection with that motion.

6 6. As a next step, Laura Seigle and Chris Newman, under my direction, reviewed the
7 description line of each time entry in order to determine whether the time was expended on
8 matters directly related to the anti-SLAPP motion. We redacted out of the time and expense report
9 any time spent solely on matters not directly related to the anti-SLAPP motion, such as for
10 example time spent researching and writing the opposition to Ms. Streisand's motion for
11 preliminary injunction. Where legal or factual research was relevant both to the anti-SLAPP
12 motion and to other aspects of the case, such as the motion for preliminary injunction, we took the
13 position that our clients are entitled to reimbursement for any work that would have been
14 necessitated by the anti-SLAPP motion alone, regardless of whether some of that work might also
15 have value in other areas. For this reason, we included all time spent researching the substantive
16 causes of action raised in the complaint and the legal defenses thereto, and all time spent
17 developing the factual record to show that Ms. Streisand did not have a reasonable probability of
18 success on those causes of action.

19 7. With regard to the few time entries in which the description line was not explicit as
20 to which aspect of the case was being worked on, we included only those entries for which it was
21 clear, whether from the dates involved, the work product generated, or our personal recollection of
22 the work assignment in question, that the time had been spent in support of the anti-SLAPP
23 motion.

24 8. In those cases where a time entry included both time spent on the anti-SLAPP
25 motion and on matters not directly related to it, we redacted out the non-SLAPP related activities,
26 and reduced the number of hours billed by making a good faith estimate, based on our recollection
27 of the tasks in question, as to how much of the time would reasonably have been spent on the anti-
28 SLAPP related tasks. In doing so, we sought to err on the side of overestimating the time to be

1 redacted out. In all, we have redacted out over \$80,000 in fees that were incurred in connection
2 with this matter but that we determined were not directly related to the anti-SLAPP motion.

3 9. We have also prepared a break-down of the hours contained in the time and
4 expense report by category and timekeeper. This break-down is attached to the accompanying
5 motion as Appendix A. It reflects a significant amount of factual research, whose value is
6 illustrated by the fact that we submitted 22 exhibits to the Court in connection with the anti-
7 SLAPP motion, 19 of which were admitted as evidence.

8 10. The attorneys and other timekeepers whose work is reflected in the time and
9 expense report, and their hourly billing rates, are identified as follows:

10	AORZ	Adrian Orozco, Research Librarian (\$175)
11	CCHA	Caitlin Chamberlin, Litigation Clerk (\$110)
12	CNEW	Christopher Newman, 4th Year Litigation Associate (\$335)
13	FAYE	Gregory Fayer, Summer Associate (Columbia) (\$190)
14	HGAN	Debra Hogan, Research Librarian (\$175)
15	KNDL	Richard Kendall, Litigation Partner (\$620)
16	LCOO	Lara Cooper, 3d Year Litigation Associate (\$295)
17	PRTT	Richard Pruitt, Research Librarian (\$175)
18	REDI	Rebecca Dickinson, Summer Associate (UCLA) (\$190)
19	RTGA	Mary Bender-Arteaga, Senior Legal Assistant (\$285)
20	SGLE	Laura Seigle, Litigation Partner (\$490)
21	VFOR	Veronis Forte, Research Librarian (\$175)
22	YANG	Kelly Yang, Summer Associate (Harvard) (\$190)

23 11. Laura Seigle is a partner in Irell's litigation workgroup. She is a 1993 graduate of
24 Yale Law School, and clerked for Judge Diarmuid O'Scannlain in the United States Court of
25 Appeals for the Ninth Circuit. Since joining Irell in 1994, Laura has been involved with all
26 aspects of litigation through trial, as well as briefing and arguing appeals in the California Court of
27 Appeal and the Ninth Circuit for clients such as Paramount, MTV, Universal, and Stevie Wonder.
28 Laura was admitted to the partnership in January 2001.

1 12. Chris Newman is an associate in Irell's litigation workgroup. He graduated from
2 Michigan Law School in 1999, and clerked for Judge Alex Kozinski in the United States Court of
3 Appeals for the Ninth Circuit. Since joining Irell in 2000, Chris has worked on numerous cases
4 involving contract, business tort, and intellectual property claims, many of them on behalf of
5 prominent clients in the entertainment industry, including producers, studios, and record
6 companies.

7 13. Mary Bender-Arteaga is a senior legal assistant. She is a 1987 graduate of the
8 ABA-approved Attorney Assistant Training Program offered by UCLA Extension. She has 16
9 years of experience in litigation of numerous types, eight of them at Irell. The skills and
10 experience she has cultivated in this time rival or exceed those of many attorneys, and have made
11 her a much sought-after member of many litigation teams here at Irell.

12 14. Each summer, Irell & Manella employs a handful of summer associates from
13 among second year students at the nation's top-ranked law schools. These summer associates are
14 assigned research and writing tasks commensurate with their skills. It is firm policy not to create
15 makework for summer associates, but only to give them assignments that would otherwise be
16 performed by junior associates. The summer associates who worked on this case prepared
17 research memos on matters important to our understanding of the issues at hand, such as the scope
18 of the right to privacy under California law and the jurisdictional limits of the California anti-
19 paparazzi statute.

20 15. Each of the research librarians who worked on this case is a professional with many
21 years of experience and extensive training in all forms of library and electronic research. These
22 research librarians did much of the work necessary to document the extent to which Ms.
23 Streisand's home was a matter of public controversy and the extent to which she had invited public
24 scrutiny of its premises in the past.

25 16. The above billing rates are the customary rates charged by Irell & Manella, and
26 reflect the market value of the type of legal service and experience sought by sophisticated
27 consumers of legal services in major metropolitan areas like Los Angeles. It is my experience that
28 in the Los Angeles legal community, law firms having experience and reputation similar to those

1 of Irell & Manella charge rates that are comparable to Irell & Manella's rates. The accompanying
2 Declaration of Scott Edelman, a partner at Gibson, Dunn & Crutcher, substantiates that Irell &
3 Manella's rates are comparable to the rates charged by firms of similar reputation and quality. In
4 addition, Irell & Manella has significant expertise directly related to the present matter, having
5 litigated many cases involving free speech, right of privacy, and right of publicity claims, and
6 having made many anti-SLAPP motions.

7 17. In addition to the time spent preparing and arguing the anti-SLAPP motion, Irell
8 has thus far incurred fees in excess of \$15,000 in connection with the present fees motion. These
9 fees include time spent in analyzing, researching and drafting the brief, preparation of the billing
10 summaries embodied in Exhibit B to this declaration and Appendix A to the motion, and
11 preparation of the accompanying declarations.

12 Executed on March 3, 2004, at Los Angeles, California.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct.

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Richard Kendall

IRELL & MANELLA LLP



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Richard B. Kendall



Practice Areas: Alternative Dispute Resolution; Appellate; Entertainment; Intellectual Property Litigation; Litigation; Securities Litigation
Position: Partner
Office: Century City
Law School: USC, 1979
Email: rkendall@irell.com
Phone: (310) 203-7084
Fax: (310) 282-5684

Richard B. Kendall is resident in the Century City office of Irell & Manella LLP. He is a partner in the firm's Litigation workgroup.

Mr. Kendall's practice encompasses a wide range of commercial and criminal litigation matters, with particular concentrations in intellectual property, entertainment, banking, and international matters. He has served as lead trial counsel in more than 30 trials and has argued appeals in major cases before the United States Supreme Court, the United States Court of Appeals, the California Supreme Court, the Delaware Supreme Court, and the California Court of Appeals. In 1996, he argued on behalf of Citibank before the United States Supreme Court in Smiley v. Citibank (South Dakota), N.A., in which the Court upheld Citibank's position that credit card late charges were "interest" within the meaning of the National Bank Act provision authorizing a national bank to charge interest at the rate allowed by the state in which it is located. In August 2000, Mr. Kendall represented Viacom and CBS before the Delaware Supreme Court in a case entitled USA Cable v. World Wrestling Federation, Viacom, and CBS, in which the court upheld a judgment awarded in favor of Mr. Kendall's clients by the Delaware Chancery Court at a trial in June 2000. The case centered on the USA Network's attempt to block Viacom's strategic alliance with the WWF, which included Viacom's licensing of the popular WWF wrestling television programming, which formerly aired on USA Network. Mr. Kendall successfully represented Viacom and CBS in both the trial and appellate courts.

Mr. Kendall represents various subsidiaries and affiliates of

Viacom, including Paramount Pictures, MTV Networks, Showtime Network, Nickelodeon, CBS, and Blockbuster, in a wide variety of entertainment and commercial litigation. In banking litigation, Mr. Kendall has frequently represented affiliates and subsidiaries of Citigroup and Credit Suisse First Boston.

In addition, Mr. Kendall has represented clients in numerous international disputes, including the Philippine government in Republic of the Philippines v. Marcos, the Bank of China in a massive bank fraud matter entitled Bank of China v. Sun Ming, and the China National Coal Development Corporation in defense of an ICCC arbitration entitled, Occidental Petroleum v. China National Coal Development Corp., where the dispute centered on the dissolution of a coal-mining joint venture between Occidental Petroleum and the Chinese ministry's development subsidiary.

Mr. Kendall received his B.A. from Wesleyan University in Middletown, Connecticut, in 1974 and his J.D. from the University of Southern California Law Center in 1979, where he was executive editor of the *Law Review* and valedictorian of his class. In 1978 he served as judicial extern for the Honorable William Matthew Byrne, Jr., judge of the United States District Court in Los Angeles. In 1979-1980, he served as law clerk to the Honorable J. Clifford Wallace, judge (later chief judge) of the United States Court of Appeals for the Ninth Circuit, in San Diego, California.

From 1980 through 1985, Mr. Kendall was an assistant United States attorney in Los Angeles, where he served as assistant chief of the Criminal Division during 1983 through 1985. In December 1984, he received the John Marshall Award for Trial of Litigation, the highest award in the Justice Department for trial work, for "ingenuity in developing new forensic techniques, and outstanding trial skills." From 1986 through 1988, Mr. Kendall was a partner with Munger Tolles & Olson, and from 1988 through May 1997, he was a partner of Shearman & Sterling, where he headed the Litigation Group in Los Angeles. He joined Irell & Manella LLP as a partner in May 1997.

Mr. Kendall taught evidence as an adjunct professor of law at the University of Southern California from 1983 through 1986. He resumed this position in 1995, teaching international litigation and arbitration. He has served as a member of numerous bar association committees and advisory groups, and as the state bar-appointed member of the Board of Directors of the Western Center on Law and Poverty from 1989 through 1997. He currently serves on the board of directors of the Los Angeles Legal Aid foundation.

A selected listing of noteworthy client matters follows:

Banking Litigation

Smiley v. Citibank (South Dakota) N.A., United States Supreme Court; California Supreme Court; California Court of Appeal, Los Angeles Superior Court: Counsel for Citibank in successful defense of class action challenging credit card late fees; prevailed on federal preemption grounds in trial and appellate courts; argued in United States Supreme Court in April 1996.

Interplay Incorporated v. Citicorp Real Estate, Superior Court of Los Angeles: Counsel for Citicorp Real Estate, Inc., in defense of developer's claim that Citicorp misappropriated development concept for property after declining to sell building to developer. Motion for summary judgment pending.

In Re Student Loan Cases, Central District of California: Counsel for Citibank in an action against Bank of America arising from massive servicing failures, with damages exceeding \$564 million, in California Student Loan Program. The matter was successfully resolved.

Fernandez v. Citibank, Los Angeles Superior Court, California Court of Appeal: Appellate counsel for Citibank in successful effort to obtain reversal of substantial damages judgment in negligence action brought by credit card customer.

California Grocers Ass'n. v. Bank of America, California Court of Appeal: Appellate counsel for *amici curiae* Visa and MasterCard banking associations in successful effort to obtain reversal of judgment against Bank of America in class action alleging excessive charges for grocers' deposits of NSF checks.

Steiny v. Citicorp Real Estate, Inc., California Supreme Court and California Court of Appeal: Appellate counsel for *amicus curiae* California Bankers Association in litigation centering on interpretation of stop-notice legislation in California.

Entertainment/Intellectual Property Litigation

USA Cable v. World Wrestling Federation, Viacom, and CBS, Delaware Court of Chancery and Delaware Supreme Court: Trial and appellate counsel for Viacom and CBS in litigation centering on USA Network's attempt to block Viacom's strategic alliance with the WWF, including licensing

exhibition of popular WWF wrestling television programming. Case turned on effect of "right of first refusal" provision.

Burt v. Viacom, Inc., Time Warner, et al., United States District Court, Central District of California and Ninth Circuit Court of Appeal: Successful representation of Viacom and Time Warner in defense of idea-submission claim brought in connection with situation comedy entitled, "Sister, Sister."

Stein, et al. v. Paramount Pictures, et al., United States District Court, Central District of California: Successful representation of Paramount and various individual defendants in idea-submission case involving situation comedy "Goode Behavior." Motions to dismiss granted.

Paramount Technology Group, et al. v. Philips Interactive Media of America, Northern District of California and Arbitration Panel in Los Angeles, California: Counsel for Paramount and author Richard Scarry in successful litigation and arbitration action brought to restrain Philips from the marketing and sale of CD-ROM versions of Richard Scarry children's books.

Paramount Communications Inc. v. Viacom International, Inc., Superior Court of Los Angeles: Counsel for Viacom in litigation in 1990-91 relating to the parties' obligations under an "exclusive output" agreement whereby Paramount supplied films to Showtime, a Viacom subsidiary. The matter was resolved successfully.

Nuvo Corp. v. Nuvo Holdings, Central District of California: Counsel representing Nuvo Corporation, a California-based designer of computer peripherals, in federal Lanham Act action against supplier passing off Nuvo Corporations' trademarked products as its own. Obtained preliminary injunction restraining supplier's sales of client's products.

Target Int'l v. MTV Networks, Central District of California: Counsel for MTV Networks in defense of plaintiff's claims of tortious breach of covenant of good faith and fair dealing. Obtained outright dismissal of plaintiff's claims prior to trial.

International Litigation and Arbitration

Brunei Litigation, United States District Courts for

Central District of California and Nevada, and Los Angeles Superior Court: Represent Brunei Investment Authority and related entities in cross-border litigations stemming from Prince Jefri's management of Amedeo Group.

Bank of China v. Sun Ming, Central District of California, Hong Kong, Switzerland, Australia: Counsel for Bank of China in multijurisdictional civil prosecutions whereby client recovered more than \$44 million taken by Chinese citizen in international fraud scheme.

Sonatrach v. Aerojet, et al., Southern District of California: Counsel for Sonatrach, the Energy Ministry of Algeria, in breach-of-contract action to recover \$44 million in contract fees relating to hydrochemical plant constructed in Algeria.

Occidental Petroleum v. China National Coal Development Corp., ICCA Arbitration: Counsel for China National Coal Development Corp. in dispute centering on dissolution of coal-mining joint venture in northeastern China.

Republic of the Philippines v. Marcos, Central District of California, District of Hawaii, Courts in Paris, France and Grasse, France: Counsel for Republic of the Philippines in worldwide actions to recover Marcos assets (1986-88).

Securities Litigation

Capital Bank of California, et al. v. Morgan Stanley & Co., Incorporated, Central District of California: Counsel for Morgan Stanley in securities litigation. One matter successfully resolved; prevailed at trial in the other matter.

Columbia Savings and Loan Association v. Merrill Lynch, Pierce, Fenner & Smith, Inc., Superior Court of Los Angeles: Counsel for Merrill Lynch, Pierce, Fenner & Smith, Inc., in securities litigation.

Heckmann v. Ahmanson, Superior Court of Los Angeles: Counsel for Morgan Stanley and Co., Inc., in trial of Disney "greenmail" securities class action, which was successfully resolved during trial.

Environmental/Litigation

Natural Resources Defense Counsel, et al. v. U.S. Navy, et al., Central District of California: Pro bono counsel for Natural Resources Defense Counsel and

other environmental organizations in successful effort to obtain an injunction blocking the Navy's planned detonation of explosives near the Channel Islands Marine Sanctuary.

Transwestern Pipeline Co. v. Monsanto Co., Los Angeles Superior Court: Counsel for Transwestern (an Enron subsidiary) in action for damages and declaratory relief stemming from PCB contamination of pipeline system. Client obtained \$10 million verdict at trial.

Employment Litigation

Barnett & Sacks v. Credit Suisse First Boston, NYSD Arbitration: Lead counsel for Credit Suisse First Boston in successful defense of wrongful termination and related claims in lengthy arbitration proceedings.

White-Collar Criminal Defense

United States v. Northrop, et al., Central District of California: Lead counsel for officer of Northrop subsidiary charged with criminal false statements. All charges were dismissed.

United States v. BCCI, et al., Middle District of Florida: Counsel for officer of Bank of Credit and Commerce International in obtaining dismissal of all charges in money-laundering prosecution brought in Tampa, Florida.

Criminal Prosecution

United States v. Ogorodnikova, Central District of California: Co-counsel representing United States in espionage prosecution and trial of two Soviet emigrés accused of conspiring with FBI agent Richard W. Miller to pass classified information to Soviet Union.

United States v. Gwaltney, Central District of California: Counsel for United States in criminal prosecution and trial of California Highway Patrol officer charged with violating civil rights of woman motorist by raping and murdering her in Barstow desert area.

United States v. Joel Nelson, Central District of California: Counsel for United States in prosecution and trial of major Ponzi scheme.

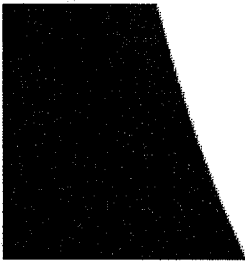
United States v. Hartford-Graham, Central District

of California: Counsel for United States in prosecution stemming from international banking fraud.

Additional Litigation/Arbitration Matters

Various grand jury investigations and corporate internal investigations not resulting in prosecutions or public disclosure of client.

Various international arbitration matters not involving public disclosure of client.



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Client Detailed Time And Expense Rep
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Client: Adelman, Kenneth A.

Matter: Streisand

Detailed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
CNEW	6/2/2003	B	Research re anti-SLAPP motion.	2.00	335.00	670.00
FAYE	6/2/2003	B	Research SLAPP motion.	2.75	190.00	522.50
CNDL	6/2/2003	B	Review and respond to client emails re strategy; review SLAPP caselaw	5.00	620.00	1,960.00
REDI	6/2/2003	B	Researching right to privacy.	7.00	190.00	1,330.00
SGLE	6/2/2003	B	TC Newman re discovery to be propounded and anti SLAPP motion; TC Kendall re same.	0.50	490.00	245.00
CNEW	6/3/2003	B	Analysis of complaint; research for anti-SLAPP motion.	7.50	335.00	2,512.50
CNDL	6/3/2003	B	Telephone call Kenneth Adelman re recent developments	0.25	620.00	155.00
REDI	6/3/2003	B	Research right to privacy.	1.50	190.00	285.00
SGLE	6/3/2003	B	TC Newman re research for anti-SLAPP motion and demurrer.	0.50	490.00	245.00
CNEW	6/4/2003	B	Research for anti-SLAPP motion.	2.00	335.00	670.00
REDI	6/4/2003	B	Research on right to privacy	2.00	190.00	380.00
WFOR	6/4/2003	B	CNEW: Research, multiple cases via WESTCHECK, & 1 Law Review via HeinOnline	0.75	175.00	131.25
CNEW	6/5/2003	B	Research for anti-SLAPP motion.	6.25	335.00	2,093.75
SGLE	6/5/2003	B	TC Kendall re anti-SLAPP motion.	0.25	490.00	122.50
CNEW	6/6/2003	B	Research for anti-SLAPP motion.	3.25	335.00	1,088.75
FAYE	6/6/2003	B	Research for SLAPP memo.	1.50	190.00	285.00
FAYE	6/6/2003	B	Research on anti-SLAPP memo.	3.50	190.00	665.00
CNDL	6/6/2003	B	meeting with Newman re anti-SLAPP motion	1.00	620.00	620.00
REDI	6/6/2003	B	research about right to privacy	5.75	190.00	1,092.50
REDI	6/6/2003	B	conference about research done on right to privacy	0.75	190.00	142.50
SGLE	6/6/2003	B	CF Newman and Dickersen re research on motion.	0.50	490.00	245.00
CNEW	6/7/2003	B	Drafting of anti-SLAPP motion.	7.50	335.00	2,512.50
CNEW	6/8/2003	B	Drafting of anti-SLAPP motion.	7.25	335.00	2,428.75
CNEW	6/9/2003	B	Drafting of anti-SLAPP motion.	10.50	335.00	3,517.50
FAYE	6/9/2003	B	Westlaw research for SLAPP motion.	3.50	190.00	665.00
FAYE	6/9/2003	B	REsearch for anti-SLAPP memo.	2.00	190.00	380.00
FAYE	6/9/2003	B	Phone conversations w/ Laura Seigle, Chris Newman re. SLAPP.	0.25	190.00	47.50
REDI	6/9/2003	B	Research about public figures	7.50	190.00	1,425.00
SGLE	6/9/2003	B	Tc with Yang re research on anti-papparazi statute.	0.25	490.00	122.50
FANG	6/9/2003	B	RESEARCHING	2.50	190.00	475.00
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	1.50	175.00	262.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
CNEW	6/10/2003	B	Anti-SLAPP motion.	7.75	335.00	2,596.25

Client Detailed Time And Expense Report
by Client ID/Matter No

Report: IM11M15
Req'd By: sll

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
AYE	6/10/2003	B	Internet research on Streisand public statements on the environment.	2.75	190.00	522.50
AYE	6/10/2003	B	Research Streisand public statements on environment.	1.50	190.00	285.00
NOL	6/10/2003	B	Telephone calls Kenneth Adelman re recent developments; memo to team re 1708.8 issue re enhanced visual device; [REDACTED] memo to team re same	0.25	620.00	155.00
ANG	6/10/2003	B	RESEARCHING	2.25	190.00	427.50
ANG	6/10/2003	B	RESEARCHING	0.50	190.00	95.00
ORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
ORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
NEW	6/11/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00
GLE	6/11/2003	B	Review e-mails re research and factual background.	0.50	490.00	245.00
ORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
ORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
ORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
NEW	6/12/2003	B	Anti-SLAPP motion	6.75	335.00	2,261.25
EDI	6/12/2003	B	meeting with Newman re People Magazine article	0.5	620.00	310.00
EDI	6/12/2003	B	writing memo on right to privacy legal framework and effect of celebrity on analysis	1.00	190.00	190.00
EDI	6/12/2003	B	researching right to privacy fact patterns [REDACTED]	6.25	190.00	1,187.50
GLE	6/12/2003	B	Tc with Newman re motion and articles re Streisand; tc with Yang re research on anti-paparazzi statute. misc. e-mails; review draft of motion; cf with Newman re same.	1.75	490.00	857.50
ANG	6/12/2003	B	RESEARCHING	1.25	190.00	237.50
ANG	6/12/2003	B	MEETING WITH PARTNER	1.00	190.00	190.00
ANG	6/12/2003	B	RESEARCHING	1.50	190.00	285.00
ANG	6/12/2003	B	WRITING MEMO	2.00	190.00	380.00
ORZ	6/13/2003	B	YANG: Research re requested citechecking of memo.	0.50	175.00	87.50
NEW	6/13/2003	B	Drafting anti-SLAPP motion.	9.00	335.00	3,015.00
NOL	6/13/2003	B	Review and respond to client emails; meeting with Laura Seigle re anti-SLAPP motion	0.50	620.00	310.00
EDI	6/13/2003	B	writing memo about right to privacy legal framework and effect of celebrity on analysis	3.00	190.00	570.00
EDI	6/13/2003	B	researching right to privacy fact patterns [REDACTED]	2.75	190.00	522.50
ANG	6/13/2003	B	WRITING MEMO	2.50	190.00	475.00
ANG	6/13/2003	B	EDITING MEMO	2.00	190.00	380.00
NEW	6/14/2003	B	Drafting anti-SLAPP motion.	5.00	335.00	1,675.00
ORZ	6/16/2003	B	CNEW: Research re requested bibliographic information.	0.50	175.00	87.50
NEW	6/16/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00

Client Detailed Time And Expense Report
by Client ID/Matter No

Report: MIM15
Req'd By: sfi

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Unbilled Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NDL	6/16/2003	B	Review Internet Provider act issue; meeting with Laura Seigle re same; review Adelman email; email to Adelman re same; [REDACTED]	2.25	620.00	1,400.00
REDI	6/16/2003	B	Writing memo about right to privacy legal framework and effect of celebrity	2.50	190.00	475.00
GLE	6/16/2003	B	E-mails re SLAPP motion; review case law re motion; review Section 230 law; cf with Kendall re same.	0.75	490.00	367.50
NEW	6/17/2003	B	Anti-SLAPP motion.	9.75	335.00	3,266.25
IGAN	6/17/2003	B	CNEW: Cite check	2.75	175.00	481.25
NDL	6/17/2003	B	Review evidentiary issues for SLAPP motion; emails to/from client and team re same; review Pictopia pictures; [REDACTED] review draft of anti-Slapp motion and meeting with Laura Seigle re same; telephone calls client re recent developments and factual issues; [REDACTED]	4.0	620.00	2,480.00
REDI	6/17/2003	B	Writing and editing memo	3.25	190.00	617.50
GLE	6/17/2003	B	Review anti-SLAPP motion; review case law; cf with Kendall re factual background and motion; cf with Newman re motion and case law; review memo re anti-paparazzi statute; c with Yang re same; [REDACTED]	7.00	490.00	3,430.00
ANG	6/17/2003	B	EDITING; RESEARCHING MEMO	5.00	190.00	950.00
ORZ	6/18/2003	B	CNEW: Research re requested bibliographic information.	0.25	175.00	43.75
NEW	6/18/2003	B	Anti-SLAPP motion	2.00	335.00	670.00
NDL	6/18/2003	B	Review client memos re background facts; forward to team; review [REDACTED] issues and interaction with anti-Slapp motion; meeting with Laura Seigle re same and brief; [REDACTED] telephone call with client re strategy; telephone call Mark Liebman re background and strategy; review draft of brief re anti-Slapp; [REDACTED]	3.50	620.00	1,460.00
REDI	6/18/2003	B	Last revision of memo.	1.50	190.00	285.00
GLE	6/18/2003	B	Revise anti-SLAPP motion; cf with Kendall re same and more background facts; [REDACTED]	10.0	490.00	4,900.00
ANG	6/18/2003	B	EDITING MEMO	2.00	190.00	380.00
NEW	6/19/2003	B	Research; review of revisions to anti-SLAPP motion.	2.00	335.00	670.00
NDL	6/19/2003	B	Prepare for and attend court proceeding; [REDACTED] telephone call with client re above; revise anti-SLAPP motion papers; meeting with Laura Seigle re same; telephone calls with client re same and camera lens issues	7.25	620.00	4,495.00
COO	6/19/2003	B	Read complaint; research re: photo as protected expression; restraining speech.	5.50	295.00	1,622.50
RTT	6/19/2003	B	CNEW: research assistance on litigation search relating to, Barbra Streisand.	1.25	175.00	218.75
GLE	6/19/2003	B	[REDACTED] research re intrusion case of action; [REDACTED] cf with Kendall re anti-SLAPP motion; revise same.	10.0	490.00	4,900.00
ORZ	6/20/2003	B	CNEW: Research re requested individual profiles.	1.00	175.00	175.00
CHA	6/20/2003	B	Research and copy Thomas Guide maps of Malibu.	1.50	110.00	165.00
NEW	6/20/2003	B	Follow-up research for anti-SLAPP brief.	0.75	335.00	251.25

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Filed Fees Section for Matter: Streisand

Client ID	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
NDL	7/3/2003	B	[REDACTED] review Streisand opposition to anti-SLAPP motion; meeting with Laura Seigle re same	1.0	620.00	620.00
RTT	7/3/2003	B	RTGA: research case assistance.	0.75	175.00	131.25
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
SGLE	7/3/2003	B	[REDACTED]	2.0	490.00	980.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
SGLE	7/6/2003	B	Research issues re First Amendment, right of publicity, right of privacy for reply.	4.00	490.00	1,960.00
CNEW	7/7/2003	B	Research for opposition to anti-SLAPP motion.	5.50	335.00	1,842.50
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
KNDL	7/7/2003	B	Meeting with Laura Seigle re reply brief	0.50	620.00	310.00
SGLE	7/7/2003	B	TC Adelman re Malibu planning commission; TC Newman re research for reply; TC Adelman re documents in public files; review same; draft reply.	11.00	490.00	5,390.00
CNEW	7/8/2003	B	Research for anti-SLAPP motion.	2.00	335.00	670.00
KNDL	7/8/2003	B	Meeting with Laura Seigle re reply brief; telephone call Ken Adelman re same; revise same; review Adelman email re same	2.00	620.00	1,240.00
SGLE	7/8/2003	B	Draft reply to motion to strike; CF Newman re research; review new anti-SLAPP cases; draft supplemental Seigle declaration.	9.00	490.00	4,410.00
CNEW	7/9/2003	B	Review/research re SLAPP, PI motions; filing of waiver.	2.00	335.00	670.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
KNDL	7/9/2003	B	Revise reply brief; meeting with Laura Seigle re same; review Streisand building department application	2.25	620.00	1,395.00
RTGA	7/9/2003	B	Prepare Appendix of Non-California Authorities for Reply Brief. Retrieve non California cases from lexis to attach to Appendix.	0.50	285.00	142.50
SGLE	7/9/2003	B	Review documents from Malibu records; finalize filing; TC Adelman re Malibu records and filing [REDACTED] review Streisand reply brief; TC Adelman re same.	5.0	490.00	2,450.00
AORZ	7/10/2003	B	RTGA: Assisted case research.	1.00	175.00	175.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
HGAN	7/10/2003	B	RTGA: Research house conference report	0.25	175.00	43.75
HGAN	7/10/2003	B	RTGA: Case research assistance	0.75	175.00	131.25

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NDL	7/10/2003	B	[REDACTED] meetings with Mary Bender-Arteaga re props for oral argument; telephone call Ken Adelman re strategy; prepare for argument	2.5	620.00	1,550.00
RTT	7/10/2003	B	RTGA: research case assistance.	1.75	175.00	306.25
RTT	7/10/2003	B	RTGA: research case assistance on cases relating to Brad Pitt or Alyssa Milano.	0.25	175.00	43.75
RTGA	7/10/2003	B	Coordinate with Library regarding obtaining copy of all cases, statutes and other authority cited in motion/opposition/reply briefs for Motions to Strike [REDACTED]. Assist C. Chamberlin with preparing notebook of cited authorities. Prepare notebook of all authorities cited in moving papers. Prepare notebook containing copies of all moving papers and exhibits for Motions to Strike [REDACTED]. Coordinate with copy service regarding preparing large exhibit boards for hearing.	5.00	285.00	1,425.00
[REDACTED]						
FOR	7/10/2003	B	RTGA: Research, multiple cases, statutes & other authorities via WESTLAW, LEXIS & Heinonline.	1.75	175.00	306.25
FOR	7/10/2003	B	RTGA: Research, WESTLAW, secondary sources, statutes, etc.	0.50	175.00	87.50
[REDACTED]						
NEW	7/11/2003	B	Research.	0.50	335.00	167.50
[REDACTED]						
NDL	7/11/2003	B	Prepare for oral argument; telephone call with court re tentative opinion; meeting with Laura Seigle re oral argument; [REDACTED] review objections to evidence	4.0	620.00	2,480.00
[REDACTED]						
SGLE	7/11/2003	B	CF Kendall re argument; TC court re tentative; research and email re citing unpublished cases; review objections; research rule re timing of objections; email re new anti-SLAPP cases; prep for hearing.	3.00	490.00	1,470.00
[REDACTED]						
SGLE	7/12/2003	B	Research re section 230 and misappropriation claims; prepare for hearing on section 230 defense; [REDACTED]	4.0	490.00	1,960.00
NDL	7/13/2003	B	Prepare for oral argument [REDACTED]	1.5	620.00	930.00
SGLE	7/13/2003	B	Draft response to objections to evidence; review cases; prepare outline for hearing.	7.50	490.00	3,675.00
NEW	7/14/2003	B	[REDACTED] research in preparation for hearing, attendance at hearing.	4.5	335.00	1,507.50
[REDACTED]						
NDL	7/14/2003	B	Review and revise response to objections to evidence; prepare for argument; meeting with client re argument; attend argument; [REDACTED] analyze argument and meeting with Laura Seigle to prepare for next session; review cases first cited by Gatti in argument	9.00	620.00	5,580.00
RTGA	7/14/2003	B	Review Tentative Ruling.	0.25	285.00	71.25
RTGA	7/14/2003	B	Prepare proofs of service and attorney service instructions for filing and service of Responses to Objections to Evidence. Prepare document for filing and service. Check court website to determine if tentative ruling is available.	2.00	285.00	570.00
SGLE	7/14/2003	B	Finalize filing of responses to objections; [REDACTED] prepare for hearing; call to court re tentative ruling; review tentative; CF Kendall re same; draft objections to Gatti declaration; review and revise deposition notices; hearing; CF Kendall re follow up projects.	9.5	490.00	4,655.00

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Qty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NEW	7/15/2003	B	Research in preparation for hearing.	3.75	335.00	1,256.25
NDL	7/15/2003	B	Review email from client re argument strategy; letter to John Gatti re in camera evidence; revise declaration re public records in Malibu; meeting with Laura Seigle re strategy; telephone client re same	4.50	620.00	2,790.00
TGA	7/15/2003	B	Retrieve documents requested by attorneys.	0.50	285.00	142.50
GLE	7/15/2003	B	TC Genis re certified copy of Malibu records; email Newman re research on evidence; TC Genis re declaration; analysis re remaining Streisand evidence; analysis re celebrity withdrawing from public; analyze effect of sale of photos on claims; review Cal. Constitutional privacy issues; draft Genis declaration; CF Genis re declaration; CF Kendall re hearing; prep for hearing.	9.25	490.00	4,532.50
NEW	7/16/2003	B	Preparation for/attendance at hearing.	3.00	335.00	1,005.00
NDL	7/16/2003	B	Prepare for and attend motions hearing; meetings with client and Laura Seigle re strategy for this hearing and next session	9.00	620.00	5,580.00
TGA	7/16/2003	B	Attend and assist at hearing.	2.50	285.00	712.50
TGA	7/16/2003	B	Prepare sample map exhibit for copy service for them to prepare sample exhibit board for hearing.	0.75	285.00	213.75
GLE	7/16/2003	B	Prep for hearing; hearing; CF Kendall re issues for continuation of hearing; CF Arteaga re preparing exhibits for continuation of hearing.	11.00	490.00	5,390.00
NEW	7/17/2003	B	Research in preparation for Friday hearing.	2.00	335.00	670.00
TGA	7/17/2003	B	Review sample exhibit comparing Thomas Guide map to client website map. Conferences with Westside Reprographics regarding revisions to exhibit.	0.75	285.00	213.75
GLE	7/17/2003	B	Prep for hearing.	1.00	490.00	490.00
NEW	7/18/2003	B	Research in preparation for hearing.	5.50	335.00	1,842.50
NDL	7/18/2003	B	prepare for oral argument; attend same	7.00	620.00	4,340.00
GLE	7/18/2003	B	Prep. for hearing; hearing on anti-SLAPP and PI motions.	8.00	490.00	3,920.00
NDL	7/21/2003	B	Review Streisand's list of additional citations discussed in hearing; telephone call Laura Seigle re same	0.25	620.00	155.00
TGA	7/21/2003	B	Organize materials used at hearing for SLAPP and Injunction motions.	0.25	285.00	71.25
GLE	7/21/2003	B	Review fax from court reporter; review Gatti letter; draft letter to Gatti re newly cited cases.	0.50	490.00	245.00
NDL	7/22/2003	B	Meeting with Laura Seigle re brief re new citations	0.1	620.00	62.00
GLE	7/24/2003	B	Review cases cited by Streisand at hearing; research re same; draft supplemental brief re newly cited authority.	4.00	490.00	1,960.00
NDL	7/25/2003	B	Revise brief re newly-cited cases;	0.75	620.00	465.00
TGA	7/25/2003	B	Telephone call to court to follow up with court reporter regarding hearing transcript.	0.25	285.00	71.25
GLE	7/25/2003	B	Prepare supplemental brief for filing; emails to Adelman re same.	0.50	490.00	245.00

Client Detailed Time And Expense Report
by Client ID/Matter No

Req'd By: sfl

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Entry	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
TGA	7/28/2003	B	Attempts to contact court reporter for Judge Goodman regarding hearing transcript.	0.25	285.00	71.25
GLE	7/30/2003	B	Review new anti-SLAPP case; e-mail to Kendall re same.	0.50	490.00	245.00
NDL	8/18/2003	B	Telephone calls with client, Laura Seigle, re logistics for receiving opinion; review new Supreme Court anti-SLAPP decision; memo to Laura Seigle re letter to court re same	0.75	620.00	465.00
GLE	8/18/2003	B	Review new Supreme Court case; email re same; TCs to Court re order; emails re same.	0.50	490.00	245.00
NDL	8/19/2003	B	Review Ninth Circuit decision in Carafano; prepare submission to court re same	1.00	620.00	620.00
GLE	8/19/2003	B	Prepare notice of new case for filing; emails re same.	0.75	490.00	367.50
TGA	8/20/2003	B	Follow up with L. Seigle regarding filing document with court. Assist with filing and serving document.	0.50	285.00	142.50
GLE	8/20/2003	B	Review new case; file notice re same; TC Clerk re status of order; email re same.	0.75	490.00	367.50
TGA	8/21/2003	B	Locate copy of article requested by Judge's court reporter and fax article to reporter.	0.25	285.00	71.25

Client Detailed Time And Expense Rep
by Client ID/Matter No

Disb Date Range: 6/1/2003 to 10/3/2003

Client: 158166 Adelman, Kenneth A.
Matter: 0002 Streisand

Bill Atty: KNDL Kendall, Richard B.
Resp Atty: KNDL Kendall, Richard B.

Client Last Payment: 11/14/2003
Matter Last Billed: 11/14/2003

Detailed Disbursements Section for Matter: Streisand

Qty	Date	Status	Description	Disb Cd	Bill Amt
1	6/18/2003	B	PAYEE: Clerk of the Court; REQUEST#: 11053093; DATE: 6/18/2003. Filing fee	0271	25.30
[REDACTED]					
1	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 West LA Courthouse	0051	95.10
1	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Filing Fees	0271	51.00
1	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 Filing Fees	0271	21.00
1	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Alschuler Grossman Stein	0051	57.00
1	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 West LA Courthouse	0051	92.10
[REDACTED]					
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/10/03	0051	70.50
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER GROSSMAN STEIN & KAHAN 7/10/03	0051	38.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/3/03	0051	108.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/3/03	0051	57.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/9/03	0051	57.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/9/03	0051	82.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	92.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 P/U WEST LA CTHSE 7/14/03	0051	48.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	198.00
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/14/03	0051	65.10
1	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO JOHN GATTI 7/14/03	0051	69.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					

Client Detailed Time And Expense Rep
by Client ID/Matter No

Disb Date Range: 6/1/2003 to 10/3/2003

ailed Disbursements Section for Matter: Streisand

ty	Date	Status	Description	Disb Cd	Bill Amt
GLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 WLA Courthouse	0051	84.00
GLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 Alschuler & Grossman	0051	57.00
GLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/18 P/U WLA Courthouse	0051	45.40

GTGA	8/27/2003	B	PAYEE: BUFORD J. JAMES; REQUEST#: 11055428; DATE: 8/27/2003. Hearing transcript	0171	690.00
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GLE	8/27/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 28168; DATE: 8/31/2003 08/19 Alschuler Grossman Stein & Kahan	0051	57.00
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Disbursements Total 2,625.63

Disbursement Code Summary Section for Matter: Streisand

Code	Description	Bill Amt
0051	Air Freight & Messenger Svcs.	1,838.33
0171	Court Transcripts	690.00
0271	Filing Fees	97.30

Disbursements Total 2,625.63

Total for Matter: Streisand

Disbursements 2,625.63

or Total 2,625.63

DECLARATION OF LAURA SEIGLE

I, Laura Seigle, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for in the above-captioned action. I am a member in good standing of the State Bar of California. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I am presently a partner in Irell's litigation workgroup. I graduated from Yale Law School in 1993, after which I clerked for Judge Diarmuid O'Scannlain in the United States Court of Appeals for the Ninth Circuit. Since 1994 I have been a member of Irell's litigation workgroup, focusing on intellectual property and entertainment litigation. I have been involved with all aspects of litigation through trial, as well as briefing and arguing appeals in the California Court of Appeal and the Ninth Circuit for clients such as Paramount, MTV, Universal, and Stevie Wonder.

3. Attached as Exhibit A hereto is a letter I sent to John Gatti on December 19, 2003, in an effort to meet and confer with him on the matter of attorney's fees incurred in preparing and prosecuting the special motion to strike on behalf of Kenneth Adelman and Pictopia.com under Cal. Code. Civ. Proc. § 425.16. I did this in accordance with the Court's tentative order of December 3, 2003, which had instructed Defendants to file a motion for fees "if the parties are unable to agree on the appropriate amount of fees to be awarded."

4. Exhibit A includes as an attachment the billing report I sent to Mr. Gatti to document the fees and expenses incurred in connection with the anti-SLAPP motion. This billing report was prepared in the manner described in paragraphs 3-7 of the accompanying declaration of Richard Kendall.

5. After sending Exhibit A, I did not receive any reply from Mr. Gatti until January 5, 2004. On this date, I received the letter attached hereto as Exhibit B, in which Mr. Gatti raised various objections to the billing report I had sent him and requesting further information.

6. On January 12, I sent another letter to Mr. Gatti, attached hereto as Exhibit C. In this letter, I provided detailed responses to all of Mr. Gatti's objections and queries, to the extent that this was possible given the vagueness of some of these objections. I also included a slightly

1 revised billing report, from which I redacted a few entries that were inadvertently included in the
2 original report. In the letter, I asked Mr. Gatti to call me to discuss any further objections by the
3 end of the following day so that I could determine whether it would be necessary to file a motion.

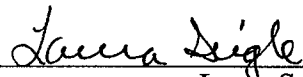
4 7. Despite my leaving several voicemails at Mr. Gatti's office, as of January 21, 2004,
5 I had still received no response to my January 12 letter. Whereupon I sent Mr. Gatti an additional
6 letter, attached hereto as Exhibit D, bringing this oversight to his attention and requesting again
7 that he respond. When I received no response the next day, I requested Irell associates Chris
8 Newman and Sandy Chung to prepare a motion for attorney's fees.

9 8. On January 28, 2004, I received a letter from Mr. Gatti, attached hereto as Exhibit
10 E. This letter once again raised various sweeping objections to the billing report I had sent him,
11 but without identifying any specific entries to which he objected or giving any indication as to the
12 amounts of time and billing rates he would regard as reasonable for the work done.

13 9. On January 30, 2004, I sent another letter to Mr. Gatti, attached hereto as Exhibit F.
14 In this letter I attempted once again to respond as far as possible to Mr. Gatti's objections and
15 queries, among other things by providing a categorization of time billed into certain categories
16 requested in Mr. Gatti's prior letter. I asked Mr. Gatti to respond by February 3 with concrete
17 objections to any time entries he regarded as excessive, and informed him that if he did not we
18 would resume work on our fees motion. I have received no response to this letter.

19 Executed on March 3, 2004, at Los Angeles, California.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct.

22
23 
24 _____
25 Laura Seigle
26
27
28

I R E L L & M A N E L L A L L P

A REGISTERED LIMITED LIABILITY LAW PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

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FACSIMILE (949) 760-5200

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WEBSITE: www.irell.com

WRITER'S DIRECT
TELEPHONE (310) 203-7542
lseigle@irell.com

December 19, 2003

VIA FACSIMILE

John M. Gatti, Esq.
Alschuler Grossman Stein & Kahan LLP
The Water Garden
1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404-4060

Re: Streisand v. Adelman, et al.

Dear John:

Judge Goodman indicated at the end of his tentative order that we should attempt to reach agreement on the appropriate amount of fees and costs to be awarded to us as the prevailing party under Section 425.16(c). We believe there to be a strong argument that, because all the causes of action in this lawsuit related to free speech, and "all of the activity by [defendants'] attorneys occurred in the context of, and were inextricably intertwined with, the anti-SLAPP motion," substantially *all* of our fees in this case should be recoverable. *See Metabolife Int'l v. Wornick*, 213 F.Supp.2d 1220, 1223 (S.D.Cal. 2002). However, in the interest of reaching agreement on this matter without further unnecessary litigation, we propose that Ms. Streisand reimburse Mr. Adelman for only those fees and costs that were necessarily incurred in connection with the anti-SLAPP motion itself.

I attach a partial redacted billing summary for this matter that itemizes only those fees and costs that were incurred in connection with the anti-SLAPP motion. Where a particular block of time was spent in part on matters not directly pertinent to the anti-SLAPP motion, I have redacted them out and adjusted the time accordingly. Because development of the evidentiary record was necessary to the anti-SLAPP motion, I have left in all time related to it. In addition, because the issues raised by the anti-SLAPP motion were addressed over the course of a number of hearings, I have also included the time spent preparing for and attending those hearings. With regard to costs, I have included only those for filing, service, and court transcripts incurred in connection with the anti-SLAPP motion and related evidentiary and supplemental filings.

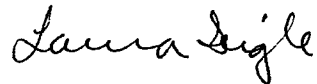
IRELL & MANELLA LLP

A REGISTERED LIMITED LIABILITY LAW PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

John M. Gatti, Esq.
December 19, 2003
Page 2

The totals come to \$204,210.00 in fees and \$2,159.50 in costs, for a grand total of \$206,369.50. If you have any questions with regard to particular items making up this total, please contact me so that we may attempt to reach agreement on the appropriate amount.

Sincerely,



Laura Seigle

cc: Daniel Casas, Esq.

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Client: ██████████ Adelman, Kenneth A.
Matter: ██████████ Streisand

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
CNEW	6/2/2003	B	Research re anti-SLAPP motion.	2.00	335.00	670.00
FAYE	6/2/2003	B	Research SLAPP motion.	2.75	190.00	522.50
KNDL	6/2/2003	B	Review and respond to client emails re strategy; ██████████ review SLAPP caselaw	1.50	620.00	1,960.00
REDI	6/2/2003	B	Researching right to privacy.	7.00	190.00	1,330.00
SGLE	6/2/2003	B	TC Newman re discovery to be propounded and anti SLAPP motion; TC Kendall re same.	0.50	490.00	245.00
CNEW	6/3/2003	B	Analysis of complaint; research for anti-SLAPP motion.	7.50	335.00	2,512.50
KNDL	6/3/2003	B	Telephone call Kenneth Adelman re recent developments	0.25	620.00	155.00
REDI	6/3/2003	B	Research right to privacy.	1.50	190.00	285.00
SGLE	6/3/2003	B	TC Newman re research for anti-SLAPP motion and demurrer.	0.50	490.00	245.00
CNEW	6/4/2003	B	Research for anti-SLAPP motion.	2.00	335.00	670.00
REDI	6/4/2003	B	Research on right to privacy	2.00	190.00	380.00
VFOR	6/4/2003	B	CNEW: Research, multiple cases via WESTCHECK, & 1 Law Review via HeinOnline	0.75	175.00	131.25
CNEW	6/5/2003	B	Research for anti-SLAPP motion.	6.25	335.00	2,093.75
SGLE	6/5/2003	B	TC Kendall re anti-SLAPP motion.	0.25	490.00	122.50
CNEW	6/6/2003	B	Research for anti-SLAPP motion.	3.25	335.00	1,088.75
FAYE	6/6/2003	B	Research for SLAPP memo.	1.50	190.00	285.00
FAYE	6/6/2003	B	Research on anti-SLAPP memo.	3.50	190.00	665.00
KNDL	6/6/2003	B	██████████ meeting with Newman re anti-SLAPP motion	1.00	620.00	620.00
REDI	6/6/2003	B	research about right to privacy	5.75	190.00	1,092.50
REDI	6/6/2003	B	conference about research done on right to privacy	0.75	190.00	142.50
SGLE	6/6/2003	B	CF Newman and Dickersen re research on motion.	0.50	490.00	245.00
CNEW	6/7/2003	B	Drafting of anti-SLAPP motion.	7.50	335.00	2,512.50
CNEW	6/8/2003	B	Drafting of anti-SLAPP motion.	7.25	335.00	2,428.75
CNEW	6/9/2003	B	Drafting of anti-SLAPP motion.	10.50	335.00	3,517.50
FAYE	6/9/2003	B	Westlaw research for SLAPP motion.	3.50	190.00	665.00
FAYE	6/9/2003	B	REsearch for anti-SLAPP memo.	2.00	190.00	380.00
FAYE	6/9/2003	B	Phone conversations w/ Laura Seigle, Chris Newman re. SLAPP.	0.25	190.00	47.50
REDI	6/9/2003	B	Research about public figures	7.50	190.00	1,425.00
SGLE	6/9/2003	B	Tc with Yang re research on anti-papparazi statute.	0.25	490.00	122.50
YANG	6/9/2003	B	RESEARCHING	2.50	190.00	475.00
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	1.50	175.00	262.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
CNEW	6/10/2003	B	Anti-SLAPP motion.	7.75	335.00	2,596.25

Client Detailed Time And Expense Report
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Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
FAYE	6/10/2003	B	Internet research on Streisand public statements on the environment.	2.75	190.00	522.50
FAYE	6/10/2003	B	Research Streisand public statements on environment.	1.50	190.00	285.00
KNDL	6/10/2003	B	Telephone calls Kenneth Adelman re recent developments; memo to team re 1708.8 issue re enhanced visual device; [REDACTED] memo to team re same	0.25	620.00	155.00
YANG	6/10/2003	B	RESEARCHING	2.25	190.00	427.50
YANG	6/10/2003	B	RESEARCHING	0.50	190.00	95.00
AORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
AORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
CNEW	6/11/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00
[REDACTED]						
SGLE	6/11/2003	B	Review e-mails re research and factual background.	0.50	490.00	245.00
AORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
AORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
AORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
CNEW	6/12/2003	B	Anti-SLAPP motion	6.75	335.00	2,261.25
[REDACTED]						
meeting with Newman re People Magazine article				0.5	620.00	310.00
REDI	6/12/2003	B	writing memo on right to privacy legal framework and effect of celebrity on analysis	1.00	190.00	190.00
REDI	6/12/2003	B	researching right to privacy fact patterns [REDACTED]	6.25	190.00	1,187.50
SGLE	6/12/2003	B	Tc with Newman re motion and articles re Streisand; tc with Yang re research on anti-paparazzi statute. misc. e-mails; review draft of motion; cf with Newman re same.	1.75	490.00	857.50
YANG	6/12/2003	B	RESEARCHING	1.25	190.00	237.50
YANG	6/12/2003	B	MEETING WITH PARTNER	1.00	190.00	190.00
YANG	6/12/2003	B	RESEARCHING	1.50	190.00	285.00
YANG	6/12/2003	B	WRITING MEMO	2.00	190.00	380.00
AORZ	6/13/2003	B	YANG: Research re requested citechecking of memo.	0.50	175.00	87.50
CNEW	6/13/2003	B	Drafting anti-SLAPP motion.	9.00	335.00	3,015.00
[REDACTED]						
KNDL	6/13/2003	B	Review and respond to client emails; meeting with Laura Seigle re anti-SLAPP motion	0.50	620.00	310.00
REDI	6/13/2003	B	writing memo about right to privacy legal framework and effect of celebrity on analysis	3.00	190.00	570.00
REDI	6/13/2003	B	researching right to privacy fact patterns [REDACTED]	2.75	190.00	522.50
YANG	6/13/2003	B	WRITING MEMO	2.50	190.00	475.00
YANG	6/13/2003	B	EDITING MEMO	2.00	190.00	380.00
CNEW	6/14/2003	B	Drafting anti-SLAPP motion.	5.00	335.00	1,675.00
AORZ	6/16/2003	B	CNEW: Research re requested bibliographic information.	0.50	175.00	87.50
CNEW	6/16/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00

**Client Detailed Time And Expense Report
by Client ID/Matter No**

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

etailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
KNDL	6/16/2003	B	Review Internet Provider act issue; meeting with Laura Seigle re same; review Adelman email; email to Adelman re same; [REDACTED]	2.25	2.0 620.00	1,240.00
REDI	6/16/2003	B	Writing memo about reight to privacy legal framework and effect of celebrity	2.50	190.00	475.00
SGLE	6/16/2003	B	E-mails re SLAPP motion; review case law re motion; review Section 230 law; cf with Kendall re same.	0.75	490.00	367.50
CNEW	6/17/2003	B	Anti-SLAPP motion.	9.75	335.00	3,266.25
HGAN	6/17/2003	B	CNEW: Cite check	2.75	175.00	481.25
KNDL	6/17/2003	B	Review evidentiary issues for SLAPP motion; emails to/from client and team re same; review Pictopia pictures; [REDACTED] review draft of anti-Slapp motion and meeting with Laura Seigle re same; telephone calls client re recent developments and factual issues; [REDACTED]	4.0	620.00	2,480.00
REDI	6/17/2003	B	Writing and editing memo	3.25	190.00	617.50
SGLE	6/17/2003	B	Review anti-SLAPP motion; review case law; cf with Kendall re factual background and motion; cf with Newman re motion and case law; review memo re anti-paparazzi statute; c with Yang re same; [REDACTED]	7.00	490.00	3,430.00
YANG	6/17/2003	B	EDITING, RESEARCHING MEMO	5.00	190.00	950.00
AORZ	6/18/2003	B	CNEW: Research re requested bibliographic information.	0.25	175.00	43.75
CNEW	6/18/2003	B	Anti-SLAPP motion	2.00	335.00	670.00
KNDL	6/18/2003	B	Review client memos re background facts; forward to team; review [REDACTED] issues and interaction with anti-Slapp motion; meeting with Laura Seigle re same and brief; [REDACTED] telephone call with client re strategy; telephone call Mark Liebman re background and strategy; review draft of brief re anti-Slapp; [REDACTED]	3.00	620.00	1,860.00
REDI	6/18/2003	B	Last revision of memo.	1.50	190.00	285.00
SGLE	6/18/2003	B	Revise anti-SLAPP motion; cf with Kendall re same and more background facts; [REDACTED]	10.0	490.00	4,900.00
YANG	6/18/2003	B	EDITING MEMO	2.00	190.00	380.00
CNEW	6/19/2003	B	Research; review of revisions to anti-SLAPP motion.	2.00	335.00	670.00
KNDL	6/19/2003	B	Prepare for and attend court proceeding; [REDACTED] telephone call with client re above; revise anti-SLAPP motion papers; meeting with Laura Seigle re same; telephone calls with client re same and camera lens issues	7.25	620.00	4,495.00
LCOO	6/19/2003	B	Read complaint; research re: photo as protected expression; restraining speech.	5.50	295.00	1,622.50
PRTT	6/19/2003	B	CNEW: research assistance on litigation search relating to, Barbra Streisand.	1.25	175.00	218.75
SGLE	6/19/2003	B	[REDACTED] research re intrusion case of action; [REDACTED] cf with Kendall re anti-SLAPP motion; revise same.	10.0	490.00	4,900.00
AORZ	6/20/2003	B	CNEW: Research re requested individual profiles.	1.00	175.00	175.00
CCHA	6/20/2003	B	Research and copy Thomas Guide maps of Malibu.	1.50	110.00	165.00
CNEW	6/20/2003	B	Follow-up research for anti-SLAPP brief.	0.75	335.00	251.25

Irell & Manella LLP

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Report: IMTIM15
Req'd By: sfi

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
KNDL	6/20/2003	B	Revise anti-SLAPP motion; telephone calls and emails with client and Laura Seigle re same; telephone call (voicemail) Dan Casas; revise client declaration; review strategy with Laura Seigle	7.25	620.00	4,495.00
RTGA	6/20/2003	B	Coordinate obtaining color copies of photographs and magazine article to use as exhibits to motion. Research on Streisand website for items to use as exhibits to motion. Research on client website for items to use as exhibits for motion. Research re news articles on Geffan lawsuit regarding access to beach by public.	7.25	285.00	2,066.25
SGLE	6/20/2003	B	Draft declaration for Adelman; tc with Adelman re same; revise motion; [REDACTED] cf with Kendall re anti-SLAPP motion; organize exhibits; tc with Adelman re exhibits; cf with Arteaga re exhibits.	5.50	490.00	2,695.00
KNDL	6/21/2003	B	Review and revise Pictopia brief; memos to Laura Seigle re same	0.75	620.00	465.00
SGLE	6/21/2003	B	Research CDA; draft Pictopia motion to strike; draft Liebman declaration.	6.00	490.00	2,940.00
KNDL	6/22/2003	B	Review and revise pictopia brief; memos to Liebman and Seigle re same; [REDACTED] revise introduction	1.0	620.00	620.00
SGLE	6/22/2003	B	Revise both anti-SLAPP motions; organize exhibits; draft declarations.	6.75	490.00	3,307.50
AORZ	6/23/2003	B	RTGA: Assisted case research.	0.25	175.00	43.75
KNDL	6/23/2003	B	Revise anti-SLAPP brief; review Liebman comments on Pictopia brief and declaration; telephone calls Ken Adelman re briefing; meetings with Laura Seigle re same; review exhibits; [REDACTED] telephone call Casas re Layer 42 briefing	2.5	620.00	1,550.00
RTGA	6/23/2003	B	Retrieve pages from Striesand website and client website to use as exhibits to motion. Redact confidential information from emails to be used as exhibits. Prepare additional exhibits for filing and service with motion. Assist with preparing motion and exhibits for filing and service. Set up Appendix of Non-California Authorities. Coordinate with word processing regarding scanning exhibits in color to send to client. Search court website for address and fax information for Judicial Council.	6.00	285.00	1,710.00
SGLE	6/23/2003	B	TC Adelman re declaration; TC Liebman re declaration.	6.00	490.00	2,940.00
HERM	6/24/2003	B	Meet with Laura Seigle about Streisand assignment.	0.25	190.00	47.50
SGLE	6/24/2003	B	Review new section 230 case; [REDACTED] CF Hermele re research on courts editing speech; [REDACTED]	1.0	490.00	490.00

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
KNDL	7/10/2003	B	[REDACTED] meetings with Mary Bender-Arteaga re props for oral argument; telephone call Ken Adelman re strategy; prepare for argument	2.5	620.00	1,550.00
PRTT	7/10/2003	B	RTGA: research case assistance.	1.75	175.00	306.25
PRTT	7/10/2003	B	RTGA: research case assistance on cases relating to Brad Pitt or Alyssa Milano.	0.25	175.00	43.75
RTGA	7/10/2003	B	Coordinate with Library regarding obtaining copy of all cases, statutes and other authority cited in motion/opposition/reply briefs for Motions to Strike [REDACTED]. Assist C. Chamberlin with preparing notebook of cited authorities. Prepare notebook of all authorities cited in moving papers. Prepare notebook containing copies of all moving papers and exhibits for Motions to Strike [REDACTED]. Coordinate with copy service regarding preparing large exhibit boards for hearing.	5.00	285.00	1,425.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
VFOR	7/10/2003	B	RTGA: Research, multiple cases, statutes & other authorities via WESTLAW, LEXIS & Heinonline.	1.75	175.00	306.25
VFOR	7/10/2003	B	RTGA: Research, WESTLAW, secondary sources, statutes, etc:	0.50	175.00	87.50
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
CNEW	7/11/2003	B	Research.	0.50	335.00	167.50
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
KNDL	7/11/2003	B	Prepare for oral argument; telephone call with court re tentative opinion; meeting with Laura Seigle re oral argument; [REDACTED] review objections to evidence	4.0	620.00	2,480.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
SGLE	7/11/2003	B	CF Kendall re argument; TC court re tentative; research and email re citing unpublished cases; review objections; research rule re timing of objections; email re new anti-SLAPP cases; prep for hearing.	3.00	490.00	1,470.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
SGLE	7/12/2003	B	Research re section 230 and misappropriation claims; prepare for hearing on section 230 defense; [REDACTED]	4.0	490.00	1,960.00
KNDL	7/13/2003	B	Prepare for oral argument; [REDACTED]	1.5	620.00	930.00
SGLE	7/13/2003	B	Draft response to objections to evidence; review cases; prepare outline for hearing.	7.50	490.00	3,675.00
CNEW	7/14/2003	B	[REDACTED] research in preparation for hearing, attendance at hearing.	4.5	335.00	1,507.50
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
KNDL	7/14/2003	B	Review and revise response to objections to evidence; prepare for argument; meeting with client re argument; attend argument; [REDACTED] analyze argument and meeting with Laura Seigle to prepare for next session; review cases first cited by Gatti in argument	9.00	620.00	5,580.00
RTGA	7/14/2003	B	Review Tentative Ruling.	0.25	285.00	71.25
RTGA	7/14/2003	B	Prepare proofs of service and attorney service instructions for filing and service of Responses to Objections to Evidence. Prepare document for filing and service. Check court website to determine if tentative ruling is available.	2.00	285.00	570.00
SGLE	7/14/2003	B	Finalize filing of responses to objections; [REDACTED] prepare for hearing; call to court re tentative ruling; review tentative; CF Kendall re same; draft objections to Gatti declaration; review and revise deposition notices; hearing; CF Kendall re follow up projects.	9.5	490.00	4,655.00

**Client Detailed Time And Expense Report
by Client ID/Matter No**

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
CNEW	7/15/2003	B	Research in preparation for hearing.	3.75	335.00	1,256.25
KNDL	7/15/2003	B	Review email from client re argument strategy; letter to John Gatti re in camera evidence; revise declaration re public records in Malibu; meeting with Laura Seigle re strategy; telephone client re same	4.50	620.00	2,790.00
RTGA	7/15/2003	B	Retrieve documents requested by attorneys.	0.50	285.00	142.50
SGLE	7/15/2003	B	TC Genis re certified copy of Malibu records; email Newman re research on evidence; TC Genis re declaration; analysis re remaining Streisand evidence; analysis re celebrity withdrawing from public; analyze effect of sale of photos on claims; review Cal. Constitutional privacy issues; draft Genis declaration; CF Genis re declaration; CF Kendall re hearing; prep for hearing.	9.25	490.00	4,532.50
CNEW	7/16/2003	B	Preparation for/attendance at hearing.	3.00	335.00	1,005.00
KNDL	7/16/2003	B	Prepare for and attend motions hearing; meetings with client and Laura Seigle re strategy for this hearing and next session	9.00	620.00	5,580.00
RTGA	7/16/2003	B	Attend and assist at hearing.	2.50	285.00	712.50
RTGA	7/16/2003	B	Prepare sample map exhibit for copy service for them to prepare sample exhibit board for hearing.	0.75	285.00	213.75
SGLE	7/16/2003	B	Prep for hearing; hearing; CF Kendall re issues for continuation of hearing; CF Arteaga re preparing exhibits for continuation of hearing.	11.00	490.00	5,390.00
CNEW	7/17/2003	B	Research in preparation for Friday hearing.	2.00	335.00	670.00
RTGA	7/17/2003	B	Review sample exhibit comparing Thomas Guide map to client website map. Conferences with Westside Reprographics regarding revisions to exhibit.	0.75	285.00	213.75
SGLE	7/17/2003	B	Prep for hearing.	1.00	490.00	490.00
CNEW	7/18/2003	B	Research in preparation for hearing.	5.50	335.00	1,842.50
KNDL	7/18/2003	B	Prepare for oral argument; attend same	7.00	620.00	4,340.00
SGLE	7/18/2003	B	Prep. for hearing; hearing on anti-SLAPP and PI motions.	8.00	490.00	3,920.00
KNDL	7/21/2003	B	Review Streisand's list of additional citations discussed in hearing; telephone call Laura Seigle re same	0.25	620.00	155.00
RTGA	7/21/2003	B	Organize materials used at hearing for SLAPP and Injunction motions.	0.25	285.00	71.25
SGLE	7/21/2003	B	Review fax from court reporter; review Gatti letter; draft letter to Gatti re newly cited cases.	0.50	490.00	245.00
KNDL	7/22/2003	B	Meeting with Laura Seigle re brief re new citations; review and respond to client inquiry re settlement strategy	0.25	620.00	155.00
SGLE	7/24/2003	B	Review cases cited by Streisand at hearing; research re same; draft supplemental brief re newly cited authority.	4.00	490.00	1,960.00
KNDL	7/25/2003	B	Revise brief re newly-cited cases;	7.75	620.00	4,805.00
RTGA	7/25/2003	B	Telephone call to court to follow up with court reporter regarding hearing transcript.	0.25	285.00	71.25
SGLE	7/25/2003	B	Prepare supplemental brief for filing; emails to Adelman re same.	0.50	490.00	245.00

Irell & Manella LLP

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Report: IMTIM15
Req'd By: sfli

Client Detailed Time And Expense Report by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
RTGA	7/28/2003	B	Attempts to contact court reporter for Judge Goodman regarding hearing transcript.	0.25	285.00	71.25
SGLE	7/30/2003	B	Review new anti-SLAPP case; e-mail to Kendall re same.	0.50	490.00	245.00
KNDL	8/18/2003	B	Telephone calls with client, Laura Seigle, re logistics for receiving opinion; review new Supreme Court anti-SLAPP decision; memo to Laura Seigle re letter to court re same	0.75	620.00	465.00
SGLE	8/18/2003	B	Review new Supreme Court case; email re same; TCs to Court re order; emails re same.	0.50	490.00	245.00
KNDL	8/19/2003	B	Review Ninth Circuit decision in Carafano; prepare submission to court re same	1.00	620.00	620.00
SGLE	8/19/2003	B	Prepare notice of new case for filing; emails re same.	0.75	490.00	367.50
RTGA	8/20/2003	B	Follow up with L. Seigle regarding filing document with court. Assist with filing and serving document.	0.50	285.00	142.50
SGLE	8/20/2003	B	Review new case; file notice re same; TC Clerk re status of order; email re same.	0.75	490.00	367.50
RTGA	8/21/2003	B	Locate copy of article requested by Judge's court reporter and fax article to reporter.	0.25	285.00	71.25

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Report: IMTIM15
Req'd By: sfi

Client Detailed Time And Expense Report by Client ID/Matter No

Disb Date Range: 6/1/2003 to 10/3/2003

Client: 158166 Adelman, Kenneth A.
Matter: 0002 Streisand

Bill Atty: KN DL Kendall, Richard B.
Resp Atty: KN DL Kendall, Richard B.

Client Last Payment: 11/14/2003
Matter Last Billed: 11/14/2003

Detailed Disbursements Section for Matter: Streisand

Atty	Date	Status	Description	Disb Cd	Bill Amt
SGLE	6/18/2003	B	PAYEE: Clerk of the Court; REQUEST#: 11053093; DATE: 6/18/2003. Filing fee	0271	25.30
[REDACTED]					
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 West LA Courthouse	0051	95.10
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Filing Fees	0271	51.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 Filing Fees	0271	21.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Alschuler Grossman Stein	0051	57.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 West LA Courthouse	0051	92.10
[REDACTED]					
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/10/03	0051	70.50
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER GROSSMAN STEIN & KAHAN 7/10/03	0051	38.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/3/03	0051	108.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/3/03	0051	57.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/9/03	0051	57.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/9/03	0051	82.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	92.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 P/U WEST LA CTHSE 7/14/03	0051	48.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	198.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/14/03	0051	65.10
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO JOHN GATTI 7/14/03	0051	69.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					

Client Detailed Time And Expense Report
 by Client ID/Matter No
 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Disbursements Section for Matter: Streisand

Atty	Date	Status	Description	Disb Cd	Bill Amt
SGLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 WLA Courthouse	0051	84.00
SGLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 Alschuler & Grossman	0051	57.00
SGLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/18 P/U WLA Courthouse	0051	45.40
RTGA	8/27/2003	B	PAYEE: BUFORD J. JAMES; REQUEST#: 11055428; DATE: 8/27/2003. Hearing transcript	0171	690.00
SGLE	8/27/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 28168; DATE: 8/31/2003 08/19 Alschuler Grossman Stein & Kahan	0051	57.00
Disbursements Total					2,625.63

Disbursement Code Summary Section for Matter: Streisand

Code	Description	Bill Amt
0051	Air Freight & Messenger Svcs.	1,838.33
0171	Court Transcripts	690.00
0271	Filing Fees	97.30
Disbursements Total		2,625.63
Total for Matter: Streisand		
Disbursements		2,625.63
Matter Total		2,625.63

CONFIRMATION REPORT - MEMORY SEND


Time : DEC-19-03 17:54
Fax number: 3102037199
Name : IRELL & MANELLA LLP

Job : 439
Date : DEC-19 17:48
To : 2#152#13109072061
Doc. pages : 14
Start time : DEC-19 17:48
End time : DEC-19 17:54
Pages sent : 14
Job:439 *** SEND SUCCESSFUL ***

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
Facsimile No.: (310) 203-7199
Telephone No.: (310) 277-1010
Facsimile Dept. Ext.: 8200

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Date: December 19, 2003
Facsimile No.: (310) 907-2061
Office Telephone No.: (310) 255-9061
To: John M. Gatti, Esq.
From: Laura A. Seigle
cc:
No. of Pages: 3
(including cover page)

VIA FACSIMILE
Sent by: 
Reference No.: 19/3
Received by:
Time:

Original will be sent via: Mail Pouch Messenger Overnight Courier Will not be sent

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
Facsimile No.: (310) 203-7199
Telephone No.: (310) 277-1010
Facsimile Dept. Ext.: 8200

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No. of Pages: 3
(including cover page)

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I RELL & MANELLA LLP

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INCLUDING PROFESSIONAL CORPORATIONS

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WRITER'S DIRECT
TELEPHONE (310) 203-7542
lseigle@irell.com

December 19, 2003

VIA FACSIMILE

John M. Gatti, Esq.
Alschuler Grossman Stein & Kahan LLP
The Water Garden
1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404-4060

Re: Streisand v. Adelman, et al.

Dear John:

Judge Goodman indicated at the end of his tentative order that we should attempt to reach agreement on the appropriate amount of fees and costs to be awarded to us as the prevailing party under Section 425.16(c). We believe there to be a strong argument that, because all the causes of action in this lawsuit related to free speech, and "all of the activity by [defendants'] attorneys occurred in the context of, and were inextricably intertwined with, the anti-SLAPP motion," substantially *all* of our fees in this case should be recoverable. *See Metabolife Int'l v. Wornick*, 213 F.Supp.2d 1220, 1223 (S.D.Cal. 2002). However, in the interest of reaching agreement on this matter without further unnecessary litigation, we propose that Ms. Streisand reimburse Mr. Adelman for only those fees and costs that were necessarily incurred in connection with the anti-SLAPP motion itself.

I attach a partial redacted billing summary for this matter that itemizes only those fees and costs that were incurred in connection with the anti-SLAPP motion. Where a particular block of time was spent in part on matters not directly pertinent to the anti-SLAPP motion, I have redacted them out and adjusted the time accordingly. Because development of the evidentiary record was necessary to the anti-SLAPP motion, I have left in all time related to it. In addition, because the issues raised by the anti-SLAPP motion were addressed over the course of a number of hearings, I have also included the time spent preparing for and attending those hearings. With regard to costs, I have included only those for filing, service, and court transcripts incurred in connection with the anti-SLAPP motion and related evidentiary and supplemental filings.

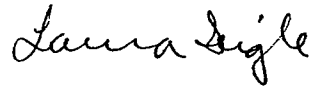
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John M. Gatti, Esq.
December 19, 2003
Page 2

The totals come to \$204,210.00 in fees and \$2,159.50 in costs, for a grand total of \$206,369.50. If you have any questions with regard to particular items making up this total, please contact me so that we may attempt to reach agreement on the appropriate amount.

Sincerely,



Laura Seigle

cc: Daniel Casas, Esq.

Irell & Manella LLP

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Report: IMTIM15
Req'd By: sflrClient Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Client: ██████████ Adelman, Kenneth A. ██████████ ██████████

Matter: ██████████ Streisand ██████████ ██████████

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
CNEW	6/2/2003	B	Research re anti-SLAPP motion.	2.00	335.00	670.00
FAYE	6/2/2003	B	Research SLAPP motion.	2.75	190.00	522.50
KNDL	6/2/2003	B	Review and respond to client emails re strategy; ██████████ ██████████ review SLAPP caselaw	5.00	620.00	3,100.00
REDI	6/2/2003	B	Researching right to privacy.	7.00	190.00	1,330.00
SGLE	6/2/2003	B	TC Newman re discovery to be propounded and anti SLAPP motion; TC Kendall re same.	0.50	490.00	245.00
CNEW	6/3/2003	B	Analysis of complaint; research for anti-SLAPP motion.	7.50	335.00	2,512.50
KNDL	6/3/2003	B	Telephone call Kenneth Adelman re recent developments	0.25	620.00	155.00
REDI	6/3/2003	B	Research right to privacy.	1.50	190.00	285.00
SGLE	6/3/2003	B	TC Newman re research for anti-SLAPP motion and demurrer.	0.50	490.00	245.00
CNEW	6/4/2003	B	Research for anti-SLAPP motion.	2.00	335.00	670.00
REDI	6/4/2003	B	Research on right to privacy	2.00	190.00	380.00
VFOR	6/4/2003	B	CNEW: Research, multiple cases via WESTCHECK, & 1 Law Review via HeinOnline	0.75	175.00	131.25
CNEW	6/5/2003	B	Research for anti-SLAPP motion.	6.25	335.00	2,093.75
██████████	██████████	██████████	██████████	██████████	██████████	██████████
SGLE	6/5/2003	B	TC Kendall re anti-SLAPP motion.	0.25	490.00	122.50
CNEW	6/6/2003	B	Research for anti-SLAPP motion.	3.25	335.00	1,088.75
FAYE	6/6/2003	B	Research for SLAPP memo.	1.50	190.00	285.00
FAYE	6/6/2003	B	Research on anti-SLAPP memo.	3.50	190.00	665.00
KNDL	6/6/2003	B	██████████ meeting with Newman re anti-SLAPP motion	1.00	620.00	620.00
REDI	6/6/2003	B	research about right to privacy	5.75	190.00	1,092.50
REDI	6/6/2003	B	conference about research done on right to privacy	0.75	190.00	142.50
SGLE	6/6/2003	B	CF Newman and Dickersen re research on motion.	0.50	490.00	245.00
CNEW	6/7/2003	B	Drafting of anti-SLAPP motion.	7.50	335.00	2,512.50
CNEW	6/8/2003	B	Drafting of anti-SLAPP motion.	7.25	335.00	2,428.75
CNEW	6/9/2003	B	Drafting of anti-SLAPP motion.	10.50	335.00	3,517.50
FAYE	6/9/2003	B	Westlaw research for SLAPP motion.	3.50	190.00	665.00
FAYE	6/9/2003	B	REsearch for anti-SLAPP memo.	2.00	190.00	380.00
FAYE	6/9/2003	B	Phone conversations w/ Laura Seigle, Chris Newman re. SLAPP.	0.25	190.00	47.50
██████████	██████████	██████████	██████████	██████████	██████████	██████████
REDI	6/9/2003	B	Research about public figures	7.50	190.00	1,425.00
SGLE	6/9/2003	B	Tc with Yang re research on anti-papparazi statute.	0.25	490.00	122.50
YANG	6/9/2003	B	RESEARCHING	2.50	190.00	475.00
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	1.50	175.00	262.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
CNEW	6/10/2003	B	Anti-SLAPP motion.	7.75	335.00	2,596.25

Client Detailed Time And Expense Report
 by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
FAYE	6/10/2003	B	Internet research on Streisand public statements on the environment.	2.75	190.00	522.50
FAYE	6/10/2003	B	Research Streisand public statements on environment.	1.50	190.00	285.00
KNDL	6/10/2003	B	Telephone calls Kenneth Adelman re recent developments; memo to team re 1708.8 issue re enhanced visual device; [REDACTED] memo to team re same	0.25	620.00	155.00
YANG	6/10/2003	B	RESEARCHING	2.25	190.00	427.50
YANG	6/10/2003	B	RESEARCHING	0.50	190.00	95.00
AORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
AORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
CNEW	6/11/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00
[REDACTED]						
SGLE	6/11/2003	B	Review e-mails re research and factual background.	0.50	490.00	245.00
AORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
AORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
AORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
CNEW	6/12/2003	B	Anti-SLAPP motion	6.75	335.00	2,261.25
[REDACTED]						
meeting with Newman re People Magazine article				0.5	620.00	310.00
REDI	6/12/2003	B	writing memo on right to privacy legal framework and effect of celebrity on analysis	1.00	190.00	190.00
REDI	6/12/2003	B	researching right to privacy fact patterns [REDACTED]	6.25	190.00	1,187.50
SGLE	6/12/2003	B	Tc with Newman re motion and articles re Streisand; tc with Yang re research on anti-paparazzi statute. misc. e-mails; review draft of motion; cf with Newman re same.	1.75	490.00	857.50
YANG	6/12/2003	B	RESEARCHING	1.25	190.00	237.50
YANG	6/12/2003	B	MEETING WITH PARTNER	1.00	190.00	190.00
YANG	6/12/2003	B	RESEARCHING	1.50	190.00	285.00
YANG	6/12/2003	B	WRITING MEMO	2.00	190.00	380.00
AORZ	6/13/2003	B	YANG: Research re requested citechecking of memo.	0.50	175.00	87.50
CNEW	6/13/2003	B	Drafting anti-SLAPP motion.	9.00	335.00	3,015.00
[REDACTED]						
KNDL	6/13/2003	B	Review and respond to client emails; meeting with Laura Seigle re anti-SLAPP motion	0.50	620.00	310.00
REDI	6/13/2003	B	writing memo about right to privacy legal framework and effect of celebrity on analysis	3.00	190.00	570.00
REDI	6/13/2003	B	researching right to privacy fact patterns [REDACTED]	2.75	190.00	522.50
YANG	6/13/2003	B	WRITING MEMO	2.50	190.00	475.00
YANG	6/13/2003	B	EDITING MEMO	2.00	190.00	380.00
CNEW	6/14/2003	B	Drafting anti-SLAPP motion.	5.00	335.00	1,675.00
AORZ	6/16/2003	B	CNEW: Research re requested bibliographic information.	0.50	175.00	87.50
CNEW	6/16/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00

Client Detailed Time And Expense Report

by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

tailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
KNDL	6/16/2003	B	Review Internet Provider act issue; meeting with Laura Seigle re same; review Adelman email; email to Adelman re same; [REDACTED]	2.25	2.0 620.00	[REDACTED] 1,240.00
REDI	6/16/2003	B	Writing memo about reight to privacy legal framework and effect of celebrity	2.50	190.00	475.00
SGLE	6/16/2003	B	E-mails re SLAPP motion; review case law re motion; review Section 230 law; cf with Kendall re same.	0.75	490.00	367.50
CNEW	6/17/2003	B	Anti-SLAPP motion.	9.75	335.00	3,266.25
HGAN	6/17/2003	B	CNEW: Cite check	2.75	175.00	481.25
KNDL	6/17/2003	B	Review evidentiary issues for SLAPP motion; emails to/from client and team re same; review Pictopia pictures; [REDACTED] review draft of anti-Slapp motion and meeting with Laura Seigle re same; telephone calls client re recent developments and factual issues; [REDACTED]	[REDACTED] 4.0	620.00	[REDACTED] 2,480.00
REDI	6/17/2003	B	Writing and editing memo	3.25	190.00	617.50
SGLE	6/17/2003	B	Review anti-SLAPP motion; review case law; cf with Kendall re factual background and motion; cf with Newman re motion and case law; review memo re anti-paparazzi statute; c with Yang re same; [REDACTED]	[REDACTED] 7.00	490.00	[REDACTED] 3,430.00
YANG	6/17/2003	B	EDITING, RESEARCHING MEMO	5.00	190.00	950.00
AORZ	6/18/2003	B	CNEW: Research re requested bibliographic information.	0.25	175.00	43.75
CNEW	6/18/2003	B	Anti-SLAPP motion	2.00	335.00	670.00
KNDL	6/18/2003	B	Review client memos re background facts; forward to team; review [REDACTED] issues and interaction with anti-Slapp motion; meeting with Laura Seigle re same and brief; [REDACTED] telephone call with client re strategy; telephone call Mark Liebman re background and strategy; review draft of brief re anti-Slapp; [REDACTED]	[REDACTED] 3.00	620.00	[REDACTED] 1,860.00
REDI	6/18/2003	B	Last revision of memo.	1.50	190.00	285.00
SGLE	6/18/2003	B	Revise anti-SLAPP motion; cf with Kendall re same and more background facts; [REDACTED]	[REDACTED] 10.0	490.00	[REDACTED] 4,900.00
YANG	6/18/2003	B	EDITING MEMO	2.00	190.00	380.00
CNEW	6/19/2003	B	Research; review of revisions to anti-SLAPP motion.	2.00	335.00	670.00
KNDL	6/19/2003	B	Prepare for and attend court proceeding; [REDACTED] telephone call with client re above; revise anti-SLAPP motion papers; meeting with Laura Seigle re same; telephone calls with client re same and camera lens issues	7.25	620.00	4,495.00
LCOO	6/19/2003	B	Read complaint; research re: photo as protected expression; restraining speech.	5.50	295.00	1,622.50
PRTT	6/19/2003	B	CNEW: research assistance on litigation search relating to, Barbra Streisand.	1.25	175.00	218.75
SGLE	6/19/2003	B	[REDACTED] research re intrusion case of action; [REDACTED] cf with Kendall re anti-SLAPP motion; revise same.	[REDACTED] 10.0	490.00	[REDACTED] 4,900.00
AORZ	6/20/2003	B	CNEW: Research re requested individual profiles.	1.00	175.00	175.00
CCHA	6/20/2003	B	Research and copy Thomas Guide maps of Malibu.	1.50	110.00	165.00
CNEW	6/20/2003	B	Follow-up research for anti-SLAPP brief.	0.75	335.00	251.25

Client Detailed Time And Expense Report
 by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Itemized Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
KNDL	6/20/2003	B	Revise anti-SLAPP motion; telephone calls and emails with client and Laura Seigle re same; telephone call (voicemail) Dan Casas; revise client declaration; review strategy with Laura Seigle	7.25	620.00	4,495.00
RTGA	6/20/2003	B	Coordinate obtaining color copies of photographs and magazine article to use as exhibits to motion. Research on Streisand website for items to use as exhibits to motion. Research on client website for items to use as exhibits for motion.. Research re news articles on Geffan lawsuit regarding access to beach by pubic.	7.25	285.00	2,066.25
SGLE	6/20/2003	B	Draft declaration for Adelman; tc with Adelman re same; revise motion; [REDACTED] cf with Kendall re anti-SLAPP motion; organize exhibits; tc with Adelman re exhibits; cf with Arteaga re exhibits.	5.50	490.00	2,695.00
KNDL	6/21/2003	B	Review and revise Pictopia brief; memos to Laura Seigle re same	0.75	620.00	465.00
SGLE	6/21/2003	B	Research CDA; draft Pictopia motion to strike; draft Liebman declaration.	6.00	490.00	2,940.00
KNDL	6/22/2003	B	Review and revise pictopia brief; memos to Liebman and Seigle re same; [REDACTED] revise introduction	1.0	620.00	620.00
SGLE	6/22/2003	B	Revise both anti-SLAPP motions; organize exhibits; draft declarations.	6.75	490.00	3,307.50
AORZ	6/23/2003	B	RTGA: Assisted case research.	0.25	175.00	43.75
KNDL	6/23/2003	B	Revise anti-SLAPP brief; review Liebman comments on Pictopia brief and declaration; telephone calls Ken Adelman re briefing; meetings with Laura Seigle re same; review exhibits; [REDACTED] telephone call Casas re Layer 42 briefing	2.5	620.00	1,550.00
RTGA	6/23/2003	B	Retrieve pages from Striesand website and client website to use as exhibits to motion. Redact confidential information from emails to be used as exhibits. Prepare additional exhibits for filing and service with motion. Assist with preparing motion and exhibits for filing and service. Set up Appendix of Non-California Authorities. Coordinate with word processing regarding scanning exhibits in color to send to client. Search court website for address and fax information for Judicial Council.	6.00	285.00	1,710.00
SGLE	6/23/2003	B	TC Adelman re declaration; TC Liebman re declaration.	6.00	490.00	2,940.00
HERM	6/24/2003	B	Meet with Laura Seigle about Streisand assignment.	0.25	190.00	47.50
SGLE	6/24/2003	B	Review new section 230 case [REDACTED] CF Hermele re research on courts editing speech; [REDACTED]	1.0	490.00	490.00

Irell & Manella LLP

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Report: IMTIM15
Req'd By: sfi

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Unbilled Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
KNDL	7/10/2003	B	[REDACTED] meetings with Mary Bender-Arteaga re props for oral argument; telephone call Ken Adelman re strategy; prepare for argument	2.5	620.00	1,550.00
PRTT	7/10/2003	B	RTGA: research case assistance.	1.75	175.00	306.25
PRTT	7/10/2003	B	RTGA: research case assistance on cases relating to Brad Pitt or Alyssa Milano.	0.25	175.00	43.75
RTGA	7/10/2003	B	Coordinate with Library regarding obtaining copy of all cases, statutes and other authority cited in motion/opposition/reply briefs for Motions to Strike [REDACTED]. Assist C. Chamberlin with preparing notebook of cited authorities. Prepare notebook of all authorities cited in moving papers. Prepare notebook containing copies of all moving papers and exhibits for Motions to Strike [REDACTED]. Coordinate with copy service regarding preparing large exhibit boards for hearing.	5.00	285.00	1,425.00
[REDACTED]						
VFOR	7/10/2003	B	RTGA: Research, multiple cases, statutes & other authorities via WESTLAW, LEXIS & Heinonline.	1.75	175.00	306.25
VFOR	7/10/2003	B	RTGA: Research, WESTLAW, secondary sources, statutes, etc.	0.50	175.00	87.50
[REDACTED]						
CNEW	7/11/2003	B	Research.	0.50	335.00	167.50
[REDACTED]						
KNDL	7/11/2003	B	Prepare for oral argument; telephone call with court re tentative opinion; meeting with Laura Seigle re oral argument; [REDACTED] review objections to evidence	4.0	620.00	2,480.00
[REDACTED]						
SGLE	7/11/2003	B	CF Kendall re argument; TC court re tentative; research and email re citing unpublished cases; review objections; research rule re timing of objections; email re new anti-SLAPP cases; prep for hearing.	3.00	490.00	1,470.00
[REDACTED]						
SGLE	7/12/2003	B	Research re section 230 and misappropriation claims; prepare for hearing on section 230 defense; [REDACTED]	4.0	490.00	1,960.00
KNDL	7/13/2003	B	Prepare for oral argument; [REDACTED]	1.5	620.00	930.00
SGLE	7/13/2003	B	Draft response to objections to evidence; review cases; prepare outline for hearing.	7.50	490.00	3,675.00
CNEW	7/14/2003	B	[REDACTED] research in preparation for hearing, attendance at hearing.	4.5	335.00	1,507.50
[REDACTED]						
KNDL	7/14/2003	B	Review and revise response to objections to evidence; prepare for argument; meeting with client re argument; attend argument; [REDACTED] analyze argument and meeting with Laura Seigle to prepare for next session; review cases first cited by Gatti in argument	9.00	620.00	5,580.00
RTGA	7/14/2003	B	Review Tentative Ruling.	0.25	285.00	71.25
RTGA	7/14/2003	B	Prepare proofs of service and attorney service instructions for filing and service of Responses to Objections to Evidence. Prepare document for filing and service. Check court website to determine if tentative ruling is available.	2.00	285.00	570.00
SGLE	7/14/2003	B	Finalize filing of responses to objections; [REDACTED] prepare for hearing; call to court re tentative ruling; review tentative; CF Kendall re same; draft objections to Gatti declaration; review and revise deposition notices; hearing; CF Kendall re follow up projects.	9.5	490.00	4,655.00

Client Detailed Time And Expense Report

by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Failed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
CNEW	7/15/2003	B	Research in preparation for hearing.	3.75	335.00	1,256.25
KNDL	7/15/2003	B	Review email from client re argument strategy; letter to John Gatti re in camera evidence; revise declaration re public records in Malibu; meeting with Laura Seigle re strategy; telephone client re same	4.50	620.00	2,790.00
RTGA	7/15/2003	B	Retrieve documents requested by attorneys.	0.50	285.00	142.50
SGLE	7/15/2003	B	TC Genis re certified copy of Malibu records; email Newman re research on evidence; TC Genis re declaration; analysis re remaining Streisand evidence; analysis re celebrity withdrawing from public; analyze effect of sale of photos on claims; review Cal. Constitutional privacy issues; draft Genis declaration; CF Genis re declaration; CF Kendall re hearing; prep for hearing.	9.25	490.00	4,532.50
CNEW	7/16/2003	B	Preparation for/attendance at hearing.	3.00	335.00	1,005.00
KNDL	7/16/2003	B	Prepare for and attend motions hearing; meetings with client and Laura Seigle re strategy for this hearing and next session	9.00	620.00	5,580.00
RTGA	7/16/2003	B	Attend and assist at hearing.	2.50	285.00	712.50
RTGA	7/16/2003	B	Prepare sample map exhibit for copy service for them to prepare sample exhibit board for hearing.	0.75	285.00	213.75
SGLE	7/16/2003	B	Prep for hearing; hearing; CF Kendall re issues for continuation of hearing; CF Arteaga re preparing exhibits for continuation of hearing.	11.00	490.00	5,390.00
CNEW	7/17/2003	B	Research in preparation for Friday hearing.	2.00	335.00	670.00
RTGA	7/17/2003	B	Review sample exhibit comparing Thomas Guide map to client website map. Conferences with Westside Reprographics regarding revisions to exhibit.	0.75	285.00	213.75
SGLE	7/17/2003	B	Prep for hearing.	1.00	490.00	490.00
CNEW	7/18/2003	B	Research in preparation for hearing.	5.50	335.00	1,842.50
KNDL	7/18/2003	B	prepare for oral argument; attend same	7.00	620.00	4,340.00
SGLE	7/18/2003	B	Prep. for hearing; hearing on anti-SLAPP and PI motions.	8.00	490.00	3,920.00
KNDL	7/21/2003	B	Review Streisand's list of additional citations discussed in hearing; telephone call Laura Seigle re same	0.25	620.00	155.00
RTGA	7/21/2003	B	Organize materials used at hearing for SLAPP and Injunction motions.	0.25	285.00	71.25
SGLE	7/21/2003	B	Review fax from court reporter; review Gatti letter; draft letter to Gatti re newly cited cases.	0.50	490.00	245.00
KNDL	7/22/2003	B	Meeting with Laura Seigle re brief re new citations; review and respond to client inquiry re settlement strategy	0.25	620.00	155.00
SGLE	7/24/2003	B	Review cases cited by Streisand at hearing; research re same; draft supplemental brief re newly cited authority.	4.00	490.00	1,960.00
KNDL	7/25/2003	B	Revise brief re newly-cited cases;	7.75	620.00	4,805.00
RTGA	7/25/2003	B	Telephone call to court to follow up with court reporter regarding hearing transcript.	0.25	285.00	71.25
SGLE	7/25/2003	B	Prepare supplemental brief for filing; emails to Adelman re same.	0.50	490.00	245.00

Irell & Manella LLP

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Client Detailed Time And Expense Report by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
RTGA	7/28/2003	B	Attempts to contact court reporter for Judge Goodman regarding hearing transcript.	0.25	285.00	71.25
SGLE	7/30/2003	B	Review new anti-SLAPP case; e-mail to Kendall re same.	0.50	490.00	245.00
KNDL	8/18/2003	B	Telephone calls with client, Laura Seigle, re logistics for receiving opinion; review new Supreme Court anti-SLAPP decision; memo to Laura Seigle re letter to court re same	0.75	620.00	465.00
SGLE	8/18/2003	B	Review new Supreme Court case; email re same; TCs to Court re order; emails re same.	0.50	490.00	245.00
KNDL	8/19/2003	B	Review Ninth Circuit decision in Carafano; prepare submission to court re same	1.00	620.00	620.00
SGLE	8/19/2003	B	Prepare notice of new case for filing; emails re same.	0.75	490.00	367.50
RTGA	8/20/2003	B	Follow up with L. Seigle regarding filing document with court. Assist with filing and serving document.	0.50	285.00	142.50
SGLE	8/20/2003	B	Review new case; file notice re same; TC Clerk re status of order; email re same.	0.75	490.00	367.50
RTGA	8/21/2003	B	Locate copy of article requested by Judge's court reporter and fax article to reporter.	0.25	285.00	71.25

Client Detailed Time And Expense Report
by Client ID/Matter No
Disb Date Range: 6/1/2003 to 10/3/2003

Client: 158166 Adelman, Kenneth A. Bill Atty: KNDL Kendall, Richard B. Client Last Payment: 11/14/2003
 Matter: 0002 Streisand Resp Atty: KNDL Kendall, Richard B. Matter Last Billed: 11/14/2003

Client Detailed Disbursements Section for Matter: Streisand

Atty	Date	Status	Description	Disb Cd	Bill Amt
SGLE	6/18/2003	B	PAYEE: Clerk of the Court; REQUEST#: 11053093; DATE: 6/18/2003. Filing fee	0271	25.30
[REDACTED]					
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 West LA Courthouse	0051	95.10
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Filing Fees	0271	51.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 Filing Fees	0271	21.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Alschuler Grossman Stein	0051	57.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 West LA Courthouse	0051	92.10
[REDACTED]					
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/10/03	0051	70.50
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER GROSSMAN STEIN & KAHAN 7/10/03	0051	38.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/3/03	0051	108.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/3/03	0051	57.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/9/03	0051	57.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/9/03	0051	82.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	92.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 P/U WEST LA CTHSE 7/14/03	0051	48.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	198.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/14/03	0051	65.10
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO JOHN GATTI 7/14/03	0051	69.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					

Client Detailed Time And Expense Report
 by Client ID/Matter No
 Disb Date Range: 6/1/2003 to 10/3/2003

Detailed Disbursements Section for Matter: Streisand

Atty	Date	Status	Description	Disb Cd	Bill Amt
SGLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 WLA Courthouse	0051	84.00
SGLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 Alschuler & Grossman	0051	57.00
SGLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/18 P/U WLA Courthouse	0051	45.40
RTGA	8/27/2003	B	PAYEE: BUFORD J. JAMES; REQUEST#: 11055428; DATE: 8/27/2003. Hearing transcript	0171	690.00
SGLE	8/27/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 28168; DATE: 8/31/2003 08/19 Alschuler Grossman Stein & Kahan	0051	57.00
Disbursements Total					2,625.63

Disbursement Code Summary Section for Matter: Streisand

Code	Description	Bill Amt
0051	Air Freight & Messenger Svcs.	1,838.33
0171	Court Transcripts	690.00
0271	Filing Fees	97.30
Disbursements Total		2,625.63
Total for Matter: Streisand		
Disbursements		2,625.63
Net Total		2,625.63

ALSCHULER GROSSMAN STEIN & KAHAN LLP
ATTORNEYS AT LAW

JOHN M. GATTI
ATTORNEY AT LAW
JGATTI@AGSK.COM
Direct Dial: 310-255-9061
Direct Fax: 310-907-2061

January 5, 2004

BY FACSIMILE AND U.S. MAIL

Laura A. Seigle, Esq.
Irell & Manella LLP
1800 Avenue of the Stars
Suite 900
Los Angeles, CA 90067-4276

Re: Barbara Streisand v. Kenneth Adelman, et al.
LASC Case No. SC 077257

Dear Laura:

I am writing to follow up on your letter dated December 19, 2003. We object to the proposed total contained in your letter and time and expense report on the following grounds, among others.

First, the time and expense report that you submitted is filled with incomplete and ambiguous information such that it is impossible to determine whether or not a particular expense is for purposes of the anti-SLAPP motion, the preliminary injunction motion, or something else. For example, there are expenses titled "researching," "researching memo," "editing memo", "meeting with partner," and other nondescript activities. These descriptions do not provide any guidance whatsoever in determining whether the expenses are related to the SLAPP motion. These ambiguities abound throughout the report.

Second, when a particular description contains work supposedly done on the anti-SLAPP motion and on other aspects of the litigation, the full numbers of hours are blacked out and a new number has been inserted. You have not provided any means to evaluate how the total numbers of hours are apportioned nor have you provided any information on how you arrived at this apportionment. As a result, we cannot determine the reasonableness of that evaluation. A related issue is that we do not know the names or status of the attorneys and other staff contained on the time and expense report. We therefore cannot determine the appropriateness of the hourly billing rate of the individuals identified in the report.

Third, your letter incorrectly states that substantially all of your fees should be recoverable. *Lafayette Morehouse, Inc. v. Chronicle Publishing Company*, 39 Cal. App. 4th 1379, 1383 explicitly provides that the fees provision "applies only to the motion to strike, and not the entire action." Therefore, Ms. Streisand is not responsible to pay any fees that are applicable to non-SLAPP motion matters or both the anti-SLAPP motion and other aspects of the litigation since *Lafayette* limits recovery to costs and fees that apply "only to the motion to strike." Ms.

THE WATER GARDEN

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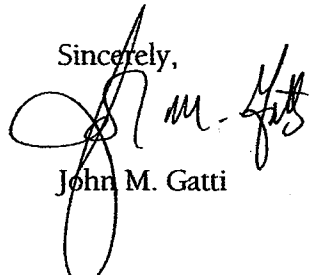
Laura Siegel, Esq.
January 5, 2004
Page 2

Streisand is likewise not responsible for any costs other than filing fees or those directly related to litigating the motion to strike. It is thus our understanding that the costs for a hearing transcript are not directly related to the § 425.16 motion and hence are not recoverable.

Fourth, the fees described in the time and expense report do not fairly reflect your proposal that Mr. Adelman be reimbursed "for only those fees and costs that were necessarily incurred in connection with the anti-SLAPP motion itself." Indeed, the hours accumulated in the redacted time and expense report contains fees for research, settlement discussions, status conferences, and court appearances that are not directly related to the SLAPP motion. The expense sheet even includes fees for third parties that purportedly attended hearings related to the litigation but were not even participants in those proceedings. Surely Ms. Streisand should not be required to account for expenses incurred whenever a member of your firm decided that it would be of interest to observe the hearings.

We would like to discuss these concerns at your earliest convenience. Please let me know if you have any questions with regard to these objections or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J.M. Gatti", written over the typed name below.

John M. Gatti

JMG:mgg

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rkendall@irell.com

January 12, 2004

VIA FACSIMILE & U.S. MAIL

John M. Gatti, Esq.
Alschuler Grossman Stein & Kahan LLP
The Water Garden
1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404-4060

Re: Streisand v. Adelman, et al.

Dear John:

Thank you for your letter of January 5, 2004. We have reviewed the billing report we sent you once again in light of the concerns raised in your letter. Here are our responses to those concerns in order:

1) *Purported "incomplete and ambiguous information" making it "impossible to determine whether or not a particular expense is for purposes of the anti-SLAPP motion."*

The vast majority of the time entries left in the redacted billing report do in fact expressly identify either the anti-SLAPP motion or a substantive issue clearly related to it. Other entries have been included only where we can be sure from date, context, and work product that the work in question was performed in connection with the anti-SLAPP motion. For example, many of the non-descriptive entries to which you refer were by Yang Yang, a summer associate whose only involvement in this billing matter was to research and write a memo analyzing possible defenses to the anti-paparazzi claim. Likewise, the various entries for "research case assistance" were by clerks or research librarians who worked on this case under my direction and all of whose research was in service of evidence or arguments raised in connection with the anti-SLAPP motion. As you requested, we are providing a list of timekeepers to help you understand who these individuals were.

If it becomes necessary for the court to resolve this matter, we are prepared to have each of these people draft and submit affidavits explaining the nature of the work they did. Given the relatively small amounts at issue—these entries amount to little more than \$7,000

John M. Gatti, Esq.
January 12, 2004
Page 2

of the total—we hope you will agree that this would be a regrettable waste of resources. Indeed, it would probably cost nearly as much again as the amount at stake, and your client would have to bear this burden as well. *See Ketchum v. Moses*, 24 Cal. 4th 1122, 1141 (2001) (rehearing denied) (“[A]n award of fees may include not only the fees incurred with respect to the underlying claim, but also the fees incurred in enforcing the right to mandatory fees under Code of Civil Procedure section 425.16.”). If however you have questions about a specific entry or entries, we would be glad to answer them.

2) *Entries where we allocated part of a block of billed time to the SLAPP motion, and "have not provided any means to evaluate how the total numbers of hours are apportioned."*

In each instance where a block of time was spent in part on matters other than prosecution of the anti-SLAPP motion, we have made a good faith apportionment based on our recollection of the activities in question, and taking care to err on the side of overestimating the amount of time to be redacted out of the bill. If there is a specific entry of time that strikes you as unreasonable for the activities mentioned, please identify it.

3) *Names and status of timekeepers.*

The names and status of the persons whose time is reflected in the billing report are as follows:

AORZ	Adrian Orozco, Research Librarian
CCHA	Caitlin Chamberlin, Litigation Clerk
CNEW	Christopher Newman, Litigation Associate (4th year)
FAYE	Gregory Fayer, Summer Associate
HGAN	Debra Hogan, Research Librarian
KNDL	Richard Kendall, Litigation Partner
LCOO	Lara Cooper, Litigation Associate (3rd year)
PRTT	Richard Pruitt, Research Librarian
REDI	Rebecca Dickinson, Summer Associate
RTGA	Mary Bender-Arteaga, Senior Legal Assistant

John M. Gatti, Esq.
January 12, 2004
Page 3

SGLE Laura Seigle, Litigation Partner
VFOR Veronis Forte, Research Librarian
YANG Yang Yang, Summer Associate

The two entries for timekeeper HERM (totaling \$47.50) were intended to be redacted, and have been on the attached revised report.

4) *Costs other than filing fees.*

The only costs we included were those for the filing and service of relevant documents, and for obtaining relevant court transcripts. All of these are expressly enumerated as allowable costs under Cal. Code Civ. Proc. § 1033.5 (see subsections (1), (4) and (9)), which has been applied in several anti-SLAPP cases. *See, e.g., American Humane Ass'n v. Los Angeles Times*, 92 Cal. App. 4th 1095, 1102-03 (2001).

5) *Time purportedly not directly related to the SLAPP motion.*

The redacted billing report we submitted to you contains only time and costs that were spent in direct relation to the preparation and prosecution of the anti-SLAPP motion. If there are specific entries that you believe should not be included, please identify them and we would be happy to discuss them. Your letter is very vague in this regard, mentioning "research, settlement discussions, status conferences, and court appearances," but not identifying any specific entries. We have redacted from the report all research that was not directly relevant to the anti-SLAPP motion, such as research on the procedure and standards for obtaining a preliminary injunction. All research related to the substantive causes of action, however, was relevant to the anti-SLAPP motion and has been included. As for status conferences and court appearances, several of these were in fact dedicated to discussion of the anti-SLAPP motion. Finally, we are aware of only one place where time related to settlement was mentioned in the redacted report. This is the 7/22/03 time entry for Dick Kendall. This entry should have been redacted, and has been in the attached revised report. If we have failed to notice another instance of settlement time being included in the report, please bring it to our attention.

6) *"Third parties" that attended hearings.*

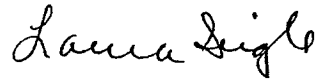
Christopher Newman and Mary Bender-Arteaga each attended the July 16 hearing at my request in order to respond to issues that would arise. This is the only attendance by non-appearing lawyers that has been included in the billing report.

John M. Gatti, Esq.
January 12, 2004
Page 4

After the adjustments described above, the revised total fees are \$204,069.50. The total costs remain \$2,159.50, for a total of \$206,229.00. In all, we have redacted out well over \$70,000 in fees and costs incurred in connection with this matter that we determined were not directly related to the anti-SLAPP motion. We are of course familiar with the *Lafayette Morehouse* decision referenced in your letter. We continue to believe, however, that it is persuasively distinguished by such cases as *Metabolife Int'l v. Wornick*, 213 F.Supp.2d 1220, 1223 (S.D.Cal. 2002) and *White v. Sikes*, 2003 WL 22064475, No. F041215 (Ct. App. Dec. 13, 2002). While we would prefer to reach an agreement with you along the lines we have proposed, if required to bring it before the court we will seek the full amount.

If you have further questions, please call me by the end of the day tomorrow. If we are unable to reach agreement my clients will file a motion for fees shortly. As noted above, this would result in additional costs to your client.

Sincerely,



Laura Seigle

cc: Daniel Casas, Esq.

Enclosures

Client Detailed Time And Expense Rep
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Client: [REDACTED] Adelman, Kenneth A. [REDACTED]

Matter: [REDACTED] Streisand [REDACTED]

Detailed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
CNEW	6/2/2003	B	Research re anti-SLAPP motion.	2.00	335.00	670.00
FAYE	6/2/2003	B	Research SLAPP motion.	2.75	190.00	522.50
KNDL	6/2/2003	B	Review and respond to client emails re strategy; [REDACTED] [REDACTED] review SLAPP caselaw	5.00 3.00	620.00	[REDACTED] 1,960.00
REDI	6/2/2003	B	Researching right to privacy.	7.00	190.00	1,330.00
SGLE	6/2/2003	B	TC Newman re discovery to be propounded and anti SLAPP motion; TC Kendall re same.	0.50	490.00	245.00
CNEW	6/3/2003	B	Analysis of complaint; research for anti-SLAPP motion.	7.50	335.00	2,512.50
KNDL	6/3/2003	B	Telephone call Kenneth Adelman re recent developments	0.25	620.00	155.00
REDI	6/3/2003	B	Research right to privacy.	1.50	190.00	285.00
SGLE	6/3/2003	B	TC Newman re research for anti-SLAPP motion and demurrer.	0.50	490.00	245.00
CNEW	6/4/2003	B	Research for anti-SLAPP motion.	2.00	335.00	670.00
REDI	6/4/2003	B	Research on right to privacy	2.00	190.00	380.00
VFOR	6/4/2003	B	CNEW: Research, multiple cases via WESTCHECK, & 1 Law Review via HeinOnline	0.75	175.00	131.25
CNEW	6/5/2003	B	Research for anti-SLAPP motion.	6.25	335.00	2,093.75
SGLE	6/5/2003	B	TC Kendall re anti-SLAPP motion.	0.25	490.00	122.50
CNEW	6/6/2003	B	Research for anti-SLAPP motion.	3.25	335.00	1,088.75
FAYE	6/6/2003	B	Research for SLAPP memo.	1.50	190.00	285.00
FAYE	6/6/2003	B	Research on anti-SLAPP memo.	3.50	190.00	665.00
KNDL	6/6/2003	B	[REDACTED] meeting with Newman re anti-SLAPP motion	1.00	620.00	[REDACTED] 620.00
REDI	6/6/2003	B	research about right to privacy	5.75	190.00	1,092.50
REDI	6/6/2003	B	conference about research done on right to privacy	0.75	190.00	142.50
SGLE	6/6/2003	B	CF Newman and Dickersen re research on motion.	0.50	490.00	245.00
CNEW	6/7/2003	B	Drafting of anti-SLAPP motion.	7.50	335.00	2,512.50
CNEW	6/8/2003	B	Drafting of anti-SLAPP motion.	7.25	335.00	2,428.75
CNEW	6/9/2003	B	Drafting of anti-SLAPP motion.	10.50	335.00	3,517.50
FAYE	6/9/2003	B	Westlaw research for SLAPP motion.	3.50	190.00	665.00
FAYE	6/9/2003	B	REsearch for anti-SLAPP memo.	2.00	190.00	380.00
FAYE	6/9/2003	B	Phone conversations w/ Laura Seigle, Chris Newman re. SLAPP.	0.25	190.00	47.50
REDI	6/9/2003	B	Research about public figures	7.50	190.00	1,425.00
SGLE	6/9/2003	B	Tc with Yang re research on anti-papparazi statute.	0.25	490.00	122.50
YANG	6/9/2003	B	RESEARCHING	2.50	190.00	475.00
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	1.50	175.00	262.50
AORZ	6/10/2003	B	CNEW: Research re requested individual profile.	0.50	175.00	87.50
CNEW	6/10/2003	B	Anti-SLAPP motion.	7.75	335.00	2,596.25

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
AYE	6/10/2003	B	Internet research on Streisand public statements on the environment.	2.75	190.00	522.50
AYE	6/10/2003	B	Research Streisand public statements on environment.	1.50	190.00	285.00
NDL	6/10/2003	B	Telephone calls Kenneth Adelman re recent developments; memo to team re 1708.8 issue re enhanced visual device; [REDACTED] memo to team re same	0.75	620.00	465.00
ANG	6/10/2003	B	RESEARCHING	2.25	190.00	427.50
ANG	6/10/2003	B	RESEARCHING	0.50	190.00	95.00
ORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
ORZ	6/11/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
NEW	6/11/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00
[REDACTED]						
GLE	6/11/2003	B	Review e-mails re research and factual background.	0.50	490.00	245.00
ORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.75	175.00	131.25
ORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
ORZ	6/12/2003	B	CNEW: Research re requested individual profile.	0.25	175.00	43.75
NEW	6/12/2003	B	Anti-SLAPP motion	6.75	335.00	2,261.25
[REDACTED]						
meeting with Newman re People Magazine article				0.5	620.00	310.00
REDI	6/12/2003	B	writing memo on right to privacy legal framework and effect of celebrity on analysis	1.00	190.00	190.00
REDI	6/12/2003	B	researching right to privacy fact patterns [REDACTED]	6.25	190.00	1,187.50
GLE	6/12/2003	B	Tc with Newman re motion and articles re Streisand; tc with Yang re research on anti-paparazzi statute. misc. e-mails; review draft of motion; cf with Newman re same.	1.75	490.00	857.50
ANG	6/12/2003	B	RESEARCHING	1.25	190.00	237.50
ANG	6/12/2003	B	MEETING WITH PARTNER	1.00	190.00	190.00
ANG	6/12/2003	B	RESEARCHING	1.50	190.00	285.00
ANG	6/12/2003	B	WRITING MEMO	2.00	190.00	380.00
ORZ	6/13/2003	B	YANG: Research re requested citechecking of memo.	0.50	175.00	87.50
NEW	6/13/2003	B	Drafting anti-SLAPP motion.	9.00	335.00	3,015.00
[REDACTED]						
NDL	6/13/2003	B	Review and respond to client emails; meeting with Laura Seigle re anti-SLAPP motion	0.50	620.00	310.00
REDI	6/13/2003	B	writing memo about right to privacy legal framework and effect of celebrity on analysis	3.00	190.00	570.00
REDI	6/13/2003	B	researching right to privacy fact patterns [REDACTED]	2.75	190.00	522.50
ANG	6/13/2003	B	WRITING MEMO	2.50	190.00	475.00
ANG	6/13/2003	B	EDITING MEMO	2.00	190.00	380.00
NEW	6/14/2003	B	Drafting anti-SLAPP motion.	5.00	335.00	1,675.00
ORZ	6/16/2003	B	CNEW: Research re requested bibliographic information.	0.50	175.00	87.50
NEW	6/16/2003	B	Anti-SLAPP motion.	9.00	335.00	3,015.00

Client Detailed Time And Expense Rep
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Failed Fees Section for Matter: Streisand

Atty	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NDL	6/16/2003	B	Review Internet Provider act issue; meeting with Laura Seigle re same; review Adelman email; email to Adelman re same; [REDACTED]	2.25	2.0 620.00	1,245.00
REDI	6/16/2003	B	Writing memo about right to privacy legal framework and effect of celebrity	2.50	190.00	475.00
IGLE	6/16/2003	B	E-mails re SLAPP motion; review case law re motion; review Section 230 law; cf with Kendall re same.	0.75	490.00	367.50
NEW	6/17/2003	B	Anti-SLAPP motion.	9.75	335.00	3,266.25
IGAN	6/17/2003	B	CNEW: Cite check	2.75	175.00	481.25
NDL	6/17/2003	B	Review evidentiary issues for SLAPP motion; emails to/from client and team re same; review Pictopia pictures; [REDACTED] review draft of anti-Slapp motion and meeting with Laura Seigle re same; telephone calls client re recent developments and factual issues; [REDACTED]	4.0	620.00	2,480.00
REDI	6/17/2003	B	Writing and editing memo	3.25	190.00	617.50
IGLE	6/17/2003	B	Review anti-SLAPP motion; review case law; cf with Kendall re factual background and motion; cf with Newman re motion and case law; review memo re anti-paparazzi statute; c with Yang re same; [REDACTED]	7.00	490.00	3,430.00
ANG	6/17/2003	B	EDITING; RESEARCHING MEMO	5.00	190.00	950.00
ORZ	6/18/2003	B	CNEW: Research re requested bibliographic information.	0.25	175.00	43.75
NEW	6/18/2003	B	Anti-SLAPP motion	2.00	335.00	670.00
NDL	6/18/2003	B	Review client memos re background facts; forward to team; review [REDACTED] issues and interaction with anti-Slapp motion; meeting with Laura Seigle re same and brief; [REDACTED] telephone call with client re strategy; telephone call Mark Liebman re background and strategy; review draft of brief re anti-Slapp; [REDACTED]	3.00	620.00	1,860.00
REDI	6/18/2003	B	Last revision of memo.	1.50	190.00	285.00
IGLE	6/18/2003	B	Revise anti-SLAPP motion; cf with Kendall re same and more background facts; [REDACTED]	10.0	490.00	4,900.00
ANG	6/18/2003	B	EDITING MEMO	2.00	190.00	380.00
NEW	6/19/2003	B	Research; review of revisions to anti-SLAPP motion.	2.00	335.00	670.00
NDL	6/19/2003	B	Prepare for and attend court proceeding; [REDACTED] telephone call with client re above; revise anti-SLAPP motion papers; meeting with Laura Seigle re same; telephone calls with client re same and camera lens issues	7.25	620.00	4,495.00
COO	6/19/2003	B	Read complaint; research re: photo as protected expression; restraining speech.	5.50	295.00	1,622.50
RTT	6/19/2003	B	CNEW: research assistance on litigation search relating to, Barbra Streisand.	1.25	175.00	218.75
IGLE	6/19/2003	B	[REDACTED] research re intrusion case of action; [REDACTED] cf with Kendall re anti-SLAPP motion; revise same.	10.0	490.00	4,900.00
ORZ	6/20/2003	B	CNEW: Research re requested individual profiles.	1.00	175.00	175.00
CHA	6/20/2003	B	Research and copy Thomas Guide maps of Malibu.	1.50	110.00	165.00
NEW	6/20/2003	B	Follow-up research for anti-SLAPP brief.	0.75	335.00	251.25

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NDL	6/20/2003	B	Revise anti-SLAPP motion; telephone calls and emails with client and Laura Seigle re same; telephone call (voicemail) Dan Casas; revise client declaration; review strategy with Laura Seigle	7.25	620.00	4,495.00
RTGA	6/20/2003	B	Coordinate obtaining color copies of photographs and magazine article to use as exhibits to motion. Research on Streisand website for items to use as exhibits to motion. Research on client website for items to use as exhibits for motion. Research re news articles on Geffan lawsuit regarding access to beach by public.	7.25	285.00	2,066.25
IGLE	6/20/2003	B	Draft declaration for Adelman; tc with Adelman re same; revise motion; [REDACTED] cf with Kendall re anti-SLAPP motion; organize exhibits; tc with Adelman re exhibits; cf with Artega re exhibits.	5.50	490.00	2,695.00
NDL	6/21/2003	B	Review and revise Pictopia brief; memos to Laura Seigle re same	0.75	620.00	465.00
IGLE	6/21/2003	B	Research CDA; draft Pictopia motion to strike; draft Liebman declaration.	6.00	490.00	2,940.00
NDL	6/22/2003	B	Review and revise pictopia brief; memos to Liebman and Seigle re same; [REDACTED] revise introduction	1.0	620.00	620.00
IGLE	6/22/2003	B	Revise both anti-SLAPP motions; organize exhibits; draft declarations.	6.75	490.00	3,307.50
ORZ	6/23/2003	B	RTGA: Assisted case research.	0.25	175.00	43.75
NDL	6/23/2003	B	Revise anti-SLAPP brief; review Liebman comments on Pictopia brief and declaration; telephone calls Ken Adelman re briefing; meetings with Laura Seigle re same; review exhibits; [REDACTED] telephone call Casas re Layer 42 briefing	2.5	620.00	1,550.00
RTGA	6/23/2003	B	Retrieve pages from Striesand website and client website to use as exhibits to motion. Redact confidential information from emails to be used as exhibits. Prepare additional exhibits for filing and service with motion. Assist with preparing motion and exhibits for filing and service. Set up Appendix of Non-California Authorities. Coordinate with word processing regarding scanning exhibits in color to send to client. Search court website for address and fax information for Judicial Council.	6.00	285.00	1,710.00
IGLE	6/23/2003	B	TC Adelman re declaration; TC Liebman re declaration.	6.00	490.00	2,940.00
IGLE	6/24/2003	B	Review new section 230 case; [REDACTED] CF Hermele re research on courts editing speech; [REDACTED]	1.0	490.00	490.00

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NDL	7/10/2003	B	[REDACTED] meetings with Mary Bender-Arteaga re props for oral argument; telephone call Ken Adelman re strategy; prepare for argument	2.5	620.00	1,550.00
RTT	7/10/2003	B	RTGA: research case assistance.	1.75	175.00	306.25
RTT	7/10/2003	B	RTGA: research case assistance on cases relating to Brad Pitt or Alyssa Milano.	0.25	175.00	43.75
RTGA	7/10/2003	B	Coordinate with Library regarding obtaining copy of all cases, statutes and other authority cited in motion/opposition/reply briefs for Motions to Strike [REDACTED]. Assist C. Chamberlin with preparing notebook of cited authorities. Prepare notebook of all authorities cited in moving papers. Prepare notebook containing copies of all moving papers and exhibits for Motions to Strike [REDACTED]. Coordinate with copy service regarding preparing large exhibit boards for hearing.	5.00	285.00	1,425.00
[REDACTED]			[REDACTED]			
[REDACTED]			[REDACTED]			
FOR	7/10/2003	B	RTGA: Research, multiple cases, statutes & other authorities via WESTLAW, LEXIS & Heinonline.	1.75	175.00	306.25
FOR	7/10/2003	B	RTGA: Research, WESTLAW, secondary sources, statutes, etc.	0.50	175.00	87.50
[REDACTED]			[REDACTED]			
NEW	7/11/2003	B	Research	0.50	335.00	167.50
[REDACTED]			[REDACTED]			
NDL	7/11/2003	B	Prepare for oral argument; telephone call with court re tentative opinion; meeting with Laura Seigle re oral argument; [REDACTED] review objections to evidence	4.0	620.00	2,480.00
[REDACTED]			[REDACTED]			
[REDACTED]			[REDACTED]			
SGLE	7/11/2003	B	CF Kendall re argument; TC court re tentative; research and email re citing unpublished cases; review objections; research rule re timing of objections; email re new anti-SLAPP cases; prep for hearing.	3.00	490.00	1,470.00
[REDACTED]			[REDACTED]			
SGLE	7/12/2003	B	Research re section 230 and misappropriation claims; prepare for hearing on section 230 defense; [REDACTED]	4.0	490.00	1,960.00
NDL	7/13/2003	B	Prepare for oral argument [REDACTED]	1.5	620.00	930.00
SGLE	7/13/2003	B	Draft response to objections to evidence; review cases; prepare outline for hearing.	7.50	490.00	3,675.00
NEW	7/14/2003	B	[REDACTED] research in preparation for hearing, attendance at hearing.	4.5	335.00	1,507.50
[REDACTED]			[REDACTED]			
NDL	7/14/2003	B	Review and revise response to objections to evidence; prepare for argument; meeting with client re argument; attend argument; [REDACTED] analyze argument and meeting with Laura Seigle to prepare for next session; review cases first cited by Gatti in argument	9.00	620.00	5,580.00
RTGA	7/14/2003	B	Review Tentative Ruling.	0.25	285.00	71.25
RTGA	7/14/2003	B	Prepare proofs of service and attorney service instructions for filing and service of Responses to Objections to Evidence. Prepare document for filing and service. Check court website to determine if tentative ruling is available.	2.00	285.00	570.00
SGLE	7/14/2003	B	Finalize filing of responses to objections; [REDACTED] prepare for hearing; call to court re tentative ruling; review tentative; CF Kendall re same; draft objections to Gatti declaration; review and revise deposition notices; hearing; CF Kendall re follow up projects.	9.5	490.00	4,655.00

Client Detailed Time And Expense Report
by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
NEW	7/15/2003	B	Research in preparation for hearing.	3.75	335.00	1,256.25
NDL	7/15/2003	B	Review email from client re argument strategy; letter to John Gatti re in camera evidence; revise declaration re public records in Malibu; meeting with Laura Seigle re strategy; telephone client re same	4.50	620.00	2,790.00
TGA	7/15/2003	B	Retrieve documents requested by attorneys.	0.50	285.00	142.50
GLE	7/15/2003	B	TC Genis re certified copy of Malibu records; email Newman re research on evidence; TC Genis re declaration; analysis re remaining Streisand evidence; analysis re celebrity withdrawing from public; analyze effect of sale of photos on claims; review Cal. Constitutional privacy issues; draft Genis declaration; CF Genis re declaration; CF Kendall re hearing; prep for hearing.	9.25	490.00	4,532.50
NEW	7/16/2003	B	Preparation for/attendance at hearing.	3.00	335.00	1,005.00
NDL	7/16/2003	B	Prepare for and attend motions hearing; meetings with client and Laura Seigle re strategy for this hearing and next session	9.00	620.00	5,580.00
TGA	7/16/2003	B	Attend and assist at hearing.	2.50	285.00	712.50
TGA	7/16/2003	B	Prepare sample map exhibit for copy service for them to prepare sample exhibit board for hearing.	0.75	285.00	213.75
GLE	7/16/2003	B	Prep for hearing; hearing; CF Kendall re issues for continuation of hearing; CF Arteaga re preparing exhibits for continuation of hearing.	11.00	490.00	5,390.00
NEW	7/17/2003	B	Research in preparation for Friday hearing.	2.00	335.00	670.00
TGA	7/17/2003	B	Review sample exhibit comparing Thomas Guide map to client website map. Conferences with Westside Reprographics regarding revisions to exhibit.	0.75	285.00	213.75
GLE	7/17/2003	B	Prep for hearing.	1.00	490.00	490.00
NEW	7/18/2003	B	Research in preparation for hearing.	5.50	335.00	1,842.50
NDL	7/18/2003	B	Prepare for oral argument; attend same	7.00	620.00	4,340.00
GLE	7/18/2003	B	Prep. for hearing; hearing on anti-SLAPP and PI motions.	8.00	490.00	3,920.00
NDL	7/21/2003	B	Review Streisand's list of additional citations discussed in hearing; telephone call Laura Seigle re same	0.25	620.00	155.00
TGA	7/21/2003	B	Organize materials used at hearing for SLAPP and Injunction motions.	0.25	285.00	71.25
GLE	7/21/2003	B	Review fax from court reporter; review Gatti letter; draft letter to Gatti re newly cited cases.	0.50	490.00	245.00
NDL	7/22/2003	B	Meeting with Laura Seigle re brief re new citations	0.1	620.00	62.00
GLE	7/24/2003	B	Review cases cited by Streisand at hearing; research re same; draft supplemental brief re newly cited authority.	4.00	490.00	1,960.00
NDL	7/25/2003	B	Revise brief re newly-cited cases;	0.75	620.00	465.00
TGA	7/25/2003	B	Telephone call to court to follow up with court reporter regarding hearing transcript.	0.25	285.00	71.25
GLE	7/25/2003	B	Prepare supplemental brief for filing; emails to Adelman re same.	0.50	490.00	245.00

Client Detailed Time And Expense Report by Client ID/Matter No

Time Date Range: 6/1/2003 to 10/3/2003 Disb Date Range: 6/1/2003 to 10/3/2003

Billed Fees Section for Matter: Streisand

Activity	Date	Status	Description	Bill Hrs	Bill Rate	Bill Amt
TGA	7/28/2003	B	Attempts to contact court reporter for Judge Goodman regarding hearing transcript.	0.25	285.00	71.25
GLE	7/30/2003	B	Review new anti-SLAPP case; e-mail to Kendall re same.	0.50	490.00	245.00
NDL	8/18/2003	B	Telephone calls with client, Laura Seigle, re logistics for receiving opinion; review new Supreme Court anti-SLAPP decision; memo to Laura Seigle re letter to court re same	0.75	620.00	465.00
GLE	8/18/2003	B	Review new Supreme Court case; email re same; TCs to Court re order; emails re same.	0.50	490.00	245.00
NDL	8/19/2003	B	Review Ninth Circuit decision in Carafano; prepare submission to court re same	1.00	620.00	620.00
GLE	8/19/2003	B	Prepare notice of new case for filing; emails re same.	0.75	490.00	367.50
TGA	8/20/2003	B	Follow up with L. Seigle regarding filing document with court. Assist with filing and serving document.	0.50	285.00	142.50
GLE	8/20/2003	B	Review new case; file notice re same; TC Clerk re status of order; email re same.	0.75	490.00	367.50
TGA	8/21/2003	B	Locate copy of article requested by Judge's court reporter and fax article to reporter.	0.25	285.00	71.25

Client Detailed Time And Expense Rep
by Client ID/Matter No

Disb Date Range: 6/1/2003 to 10/3/2003

Client: 158166 Adelman, Kenneth A.
Matter: 0002 Streisand

Bill Atty: KNDL Kendall, Richard B.
Resp Atty: KNDL Kendall, Richard B.

Client Last Payment: 11/14/2003
Matter Last Billed: 11/14/2003

Detailed Disbursements Section for Matter: Streisand

Atty	Date	Status	Description	Disb Cd	Bill Amt
SGLE	6/18/2003	B	PAYEE: Clerk of the Court; REQUEST#: 11053093; DATE: 6/18/2003. Filing fee	0271	25.30
[REDACTED]					
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 West LA Courthouse	0051	95.10
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Filing Fees	0271	51.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 Filing Fees	0271	21.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/23 Alschuler Grossman Stein	0051	57.00
SGLE	6/30/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27532; DATE: 6/30/2003 6/24 West LA Courthouse	0051	92.10
[REDACTED]					
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/10/03	0051	70.50
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER GROSSMAN STEIN & KAHAN 7/10/03	0051	38.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/3/03	0051	108.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/3/03	0051	57.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO ALSCHULER & GROSSMAN 7/9/03	0051	57.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/9/03	0051	82.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	92.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 P/U WEST LA CTHSE 7/14/03	0051	48.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WEST LA CTHSE 7/14/03	0051	198.00
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO WELT LA CTHSE 7/14/03	0051	65.10
SGLE	7/15/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27666; DATE: 7/15/2003 DEL TO JOHN GATTI 7/14/03	0051	69.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					

Client Detailed Time And Expense Rep
by Client ID/Matter No

Disb Date Range: 6/1/2003 to 10/3/2003

ailed Disbursements Section for Matter: Streisand

Qty	Date	Status	Description	Disb Cd	Bill Amt
GLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 WLA Courthouse	0051	84.00
GLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/25 Alschuler & Grossman	0051	57.00
GLE	7/31/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 27833; DATE: 7/31/2003 07/18 P/U WLA Courthouse	0051	45.40

ITGA	8/27/2003	B	PAYEE: BUFORD J. JAMES; REQUEST#: 11055428; DATE: 8/27/2003. Hearing transcript	0171	690.00
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GLE	8/27/2003	B	VENDOR: Worldwide Network, Inc.; INVOICE#: 28168; DATE: 8/31/2003 08/19 Alschuler Grossman Stein & Kahan	0051	57.00
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Disbursements Total 2,625.63

Disbursement Code Summary Section for Matter: Streisand

Code	Description	Bill Amt
1051	Air Freight & Messenger Svcs.	1,838.33
1171	Court Transcripts	690.00
1271	Filing Fees	97.30

Disbursements Total 2,625.63

Total for Matter: Streisand

Disbursements 2,625.63

Client Total 2,625.63

IRELL & MANELLA LLP

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January 21, 2004

VIA FACSIMILE

John M. Gatti, Esq.
Alschuler Grossman Stein & Kahan LLP
The Water Garden
1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404-4060

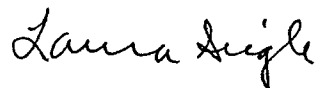
Re: Streisand v. Adelman, et al.

Dear John:

Last week on January 12, I responded to concerns you had raised in your January 5 letter about our attorneys' fees for the anti-SLAPP motion. After sending my January 12 letter, I left you several voicemails asking if you had any further questions and for a response to my letter. I also mentioned that if there was no response, my clients would need to file a motion for attorneys' fees and that your client would bear the cost of our preparing that motion.

I have not yet received any response to my January 12 letter or voicemails. Accordingly, unless I receive a response by tomorrow resolving the matter, we plan to start preparing the attorneys' fees motion immediately and will file it shortly.

Sincerely,



Laura A. Seigle

cc: Daniel Casas, Esq.

ALSCHULER GROSSMAN STEIN & KAHAN LLP
ATTORNEYS AT LAW

JOHN M. GATTI
ATTORNEY AT LAW
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OUR FILE NUMBER

Direct Fax: 310-907-2061

January 28, 2004

VIA FACSIMILE AND U.S. MAIL

Laura A. Seigle, Esq.
Irell & Manella LLP
1800 Avenue of the Stars
Suite 900
Los Angeles, CA 90067-4276

Re: Barbra Streisand v. Kenneth Adelman, et. al.

Dear Laura:

Thank you for your letter dated January 12, 2004. We continue to object to the proposed total fees and costs contained in your letter and billing report since, in addition to other grounds, the following problems still persist.

As an initial matter, your time and expense report is not reasonable under the "lodestar" adjustment method in assessing attorney fees as the fees are "excessive, redundant, [and] otherwise unnecessary." *Hensley v. Eckerhart*, 461 U.S. 424, 434 (1983). The rates for your attorneys, summer associates, and other staff members are grossly excessive and do not represent a normal prevailing rate for individuals with similar experience and expertise. See *Ketchum v. Moses*, 24 Cal. 4th 1122 (2001). Similarly, this matter did not justify a staff of thirteen billing individuals and further adds to the outrageousness of your redacted billing report. See, e.g., *Copeland v. Marshall*, 205 F.2d 880, 891 (DC Cir. 1980) ("[h]ours that are not properly billed to one's client also are not properly billed to one's adversary pursuant to statutory authority").

Furthermore, as pointed out in my letter of January 5, 2004, your billing statement still includes fees that are only applicable to non-SLAPP motion matters. This is unacceptable. Likewise, we continue to maintain our position that *Lafayette Morehouse* is not persuasively distinguished by the cases you cited and, therefore, Ms. Streisand is not responsible for matters that may be applicable to both the anti-SLAPP motion and other aspects of the litigation. Indeed, in a case you cite, *White v. Sikes*, 2003 WL 22064475, the court held that "*Lafayette's* interpretation of the attorney fee provision . . . is both settled law and a correct construction of the statute."

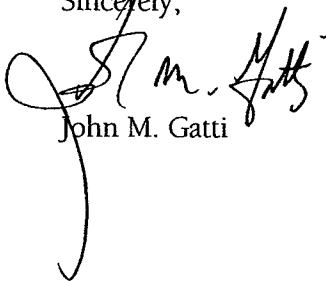
Finally, not only does the time and expense report continue to contain descriptions that do not provide any guidance in determining whether expenses are related to the SLAPP motion, but the billing report even contains fees in which there is neither a name or a description attached to them. Such incomplete information continues to stymie our ability to

Laura A. Seigle, Esq.
January 28, 2004
Page 2

competently assess the reasonableness of your billing report. We are indeed committed to making a good faith estimate of the reasonableness of your billing statement and therefore, in addition to remedying these problems, we specifically request that your firm prepare a statement in which time spent on the following activities is apportioned along the following lines: (a) drafting the anti-SLAPP motion, (b) drafting the reply brief, (c) and time spent attending hearings.

We request your continued assistance in clarifying errors and ambiguities contained in your firm's billing report in an attempt to resolve these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Gatti". The signature is stylized with a large initial "J" and a long, sweeping underline that extends below the printed name.

John M. Gatti

JMG:jes

I R E L L & M A N E L L A L L P

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January 30, 2004

VIA FACSIMILE

John M. Gatti, Esq.
Alschuler Grossman Stein & Kahan LLP
The Water Garden
1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404-4060

Re: Streisand v. Adelman, et al.

Dear John:

This is in response to your January 28 letter. In my previous letters, I asked for the identification of specific items to which your client objected so that we could address those specific questions, rather than deal in generalities. Your most recent letter, however, continues to make general objections rather than point out specific problems.

First, your letter states that our fees are "grossly excessive and do not represent a normal prevailing rate for individuals with similar experience and expertise," but does not identify specific rates you regard as excessive or what the "normal prevailing rate" is. In fact, our rates are comparable to those charged by other well-regarded firms in Los Angeles, and several courts have found our rates to be reasonable in similar proceedings. *See, e.g., State of California v. Pacific Indemnity Company*, 63 Cal. App. 4th 1535, 1556 (1998) (holding that defendant "should compensate Irell & Manella at its regular hourly rate"); *Dove Audio, Inc. v. Rosenfeld*, 47 Cal. App. 4th 777, 785 (1996) (upholding trial court's award of attorneys fees to Irell & Manella under § 425.16). Please let me in what respect you believe our fees are grossly excessive.

Second, your letter objects to the number of people who billed to this matter, but does not identify any tasks they performed that you think were unnecessary. Our use of flexible staffing, in fact, is cost efficient. By assigning tasks to less costly timekeepers – such as certain research to librarians and summer associates – rather than to higher-billing attorneys, we reduced the overall costs. While the same work could have been performed by fewer, more expensive billers, it would have cost more. Please identify specific tasks that you think were unnecessary.

Next, your letter states that our billing statement "still includes fees that are only applicable to non-SLAPP motion matters." I previously asked for the identification of the

John M. Gatti, Esq.
January 30, 2004
Page 2

specific items you believe were improperly included, but your letter contains no such specifics. Also, your letter misconstrues *Lafayette* in asserting that Ms. Streisand "is not responsible for matters that may be applicable to both the anti-SLAPP motion and other aspects of the litigation." Nothing in *Lafayette* supports this assertion. To make the anti-SLAPP motion, we had to analyze the causes of action and gather evidence and legal authority to show that they lacked a reasonable probability of success. That some of this research may also have been applicable to opposing the motion for preliminary injunction does not make our fees for that work non-recoverable. Please identify legal authority to the contrary, as well as specific items you believe are improperly included.

Your letter also states that there are entries that are not described with enough specificity for you to determine if they were related to the SLAPP motion. As I have asked before, please identify the particular, problematic entries. Your letter states that there are entries without a name or description. Please identify them with specificity.¹

Finally, your letter requested that we categorize the time billed. Please find below a general breakdown of the time:

WORK RELATED TO DRAFTING ANTI-SLAPP MOTION

Legal Research	\$25,345
Research Relating to Evidentiary Documentation	\$5,755
Legal Analysis, Client Communications, Motion Management	\$13,790
Drafting of Motion and Accompanying Papers	\$63,520

WORK RELATED TO DRAFTING REPLY

Research, Analysis, Client Communications, Motion Management	\$8,916.25
Drafting of Reply and Accompanying Papers	\$13,645.00

¹ We found one such entry on page 2 of the report following the 6/12/2003 entry for Chris Newman. The description line reads "meeting with Newman re People Magazine article," and the time billed was 0.5 hours. The timekeeper for this entry was Richard Kendall, and the entry occurred on 6/12/2003.

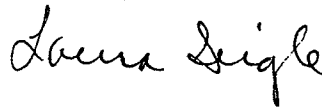
John M. Gatti, Esq.
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WORK RELATED TO FOUR COURT HEARINGS

Hearing Preparation, Research and Analysis of Matters Arising during Hearings, Preparation of Reply to Plaintiff's Objections to Evidence, Preparation of Supplemental Brief, Review of New Authority and Submittal to Court, Client Communications, Motion Management	\$45,568
Attendance at Hearings	\$27,530

During the sixteen days between my January 12 letter and your January 28 letter, I left several messages and wrote again on January 21 asking for a response and stating that we would begin working on a motion if we did not receive a response. When I did not receive a response, we began researching a fees motion. We have placed that work on hold pending your response to this letter. If we do not receive by February 3 a response identifying the specific items you believe are problematic, we will continue drafting our fees motion and seek reimbursement for the time spent on the motion.

Sincerely,



Laura Seigle

cc: Daniel Casas, Esq.

1 similar services of lawyers of reasonably comparable skill and reputation. It is my
2 experience that in cases involving celebrity plaintiffs, the potential for significant
3 publicity, and difficult legal questions, defendants look to hire attorneys with the skill
4 and experience to handle these sensitive matters, and that the market rate for these
5 attorneys' services is higher than for general litigation.

6 6. I have been advised that, in connection with a successful motion to strike
7 under California Code of Civil Procedure § 425.16 granted in December 2003, Irell
8 charged an hourly rate of \$620 for Mr. Kendall, a 1979 USC law graduate who has
9 been practicing 24 years, 18 of them as a litigation partner at various firms; \$490 for
10 Laura Seigle, then a third-year partner and 1993 graduate of Yale Law School; \$335
11 for Chris Newman, a 1999 graduate of Michigan Law School; and \$285 for Mary
12 Bender-Arteaga, a Senior Legal Assistant. I have also been advised that Irell charged
13 hourly rates of \$190 for the work of various summer associates from top-rated law
14 schools, and \$175 for the work of professional research librarians.

15 7. I believe that these rates are consistent with those charged by other
16 comparable firms. They are comparable to the rates charged by my firm in 2003 and
17 2004. For example, most partners with Mr. Kendall's level of experience and seniority
18 at my firm had an hourly rate in 2003 within a range of \$560 to \$675; in 2004, the
19 range is \$595 to \$695. In 2003, my firm charged an hourly fee of \$475 for lawyers
20 like Ms. Seigle in their third year of partnership, \$380 for lawyers of Mr. Newman's
21 seniority, and between \$245 and \$300 for senior paralegals like Ms. Bender-Arteaga.
22 In 2004, rates for those same lawyers (having progressed a class) would be \$535 and
23 \$395, and we would charge between \$255-\$300 for senior paralegals. The rates Irell
24 charged for summer associates are also consistent with those at my firm, and in 2003
25 and 2004, we charged between \$110-\$135 for research librarians. I know that in 2003,
26 O'Melveny charged as much as \$680 for a lawyer with Mr. Kendall's level of
27 experience, approximately \$420 for a lawyer of comparable partnership experience to
28 Ms. Seigle, and \$370 for a 1999 law school graduate.

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067-4276.

On March 4, 2004, I served the foregoing document described as NOTICE OF MOTION AND MOTION BY DEFENDANTS KENNETH ADELMAN & PICTOPIA.COM FOR ATTORNEY'S FEES PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE § 425.16(c); MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATIONS OF RICHARD B. KENDALL, LAURA A. SEIGLE; AND SCOTT EDELMAN on each interested party, as follows:

Daniel L. Casas, Esq.
Reynolds Casas & Riley, LLP
One First Street, Suite 2
Los Altos, CA 94022

John M. Gatti, Esq.
Alschuler Grossman Stein & Kahn LLP
1620 26th Street
Fourth Floor, North Tower
Santa Monica, CA 90404-4060

(BY MAIL) I placed a true copy of the foregoing document in a sealed envelope addressed to each interested party, as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Irell & Manella LLP, Los Angeles, California. I am readily familiar with Irell & Manella LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

Executed on March 4, 2004, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Julie E. Gordon

(Type or print name)

(Signature)