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2 421 W. Riverside Ave., Ste. 660
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3 (509) 413-1494 Telephone
kmiller@millerlawspokane.com
4 *Attorney for Plaintiff*

5 Shayne Sutherland, WSBA #44593
CAMERON SUTHERLAND, PLLC
6 421 W. Riverside Ave., Ste. 660
Spokane, WA 99201
7 (509) 315-4507 Telephone
ssutherland@cameronsutherland.com
8 *Attorney for Plaintiff*

9 IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

10 BRIANNA MORRIS, on behalf of)
11 herself and all others similarly situated,) Case No.: 2:19-CV-0128-TOR
)
12 Plaintiff,)
) **DECLARATION OF KIRK D.**
13 vs.) **MILLER IN SUPPORT OF**
) **PLAINTIFF’S MOTION FOR**
14 FPI MANAGEMENT, INC., a) **AWARD OF ATTORNEYS’ FEES,**
California corporation,) **COSTS AND SERVICE AWARD**
15 Defendant.)
16 _____)

17 Kirk D. Miller, under penalty of perjury of the laws of the United States,
18 declares the following:

- 19 1. I am one of the attorneys representing the Plaintiff in this matter.
20

1 2. This Declaration is based on my personal knowledge.

2 3. I am a member in good standing admitted to practice by the bars of
3 the following courts:

4 Washington State Bar
5 Admitted: May 19, 2008

United States District Court
 Eastern District of Washington
 Spokane, Washington
 Admitted: June 24, 2008

6
7 United States Court of
8 Appeals
9 for the 9th Circuit
 San Francisco, California
 Admitted: January 24, 2014

United States District Court
 Western District of Washington
 Admitted: April 1, 2013

10 United States Court of
11 Appeals
12 for the 6th Circuit
 Cincinnati, Ohio
 Admitted: April 9, 2015

13 4. I graduated from the Gonzaga School of Law, Spokane, Washington
14 in December 2007.

15 5. From 2008 to present, I am the principal with the firm Kirk D. Miller,
16 P.S. in Spokane, Washington.

17 6. Since 2008, I have actively litigated cases in Washington state and
18 federal courts, with most of my practice involving litigation of consumer rights and
19 consumer finance cases, primarily under the Washington Consumer Protection Act,
20

1 Fair Debt Collection Practices Act, debt collection defense, and Fair Credit
2 Reporting Act claims, debt collection defense, and claims arising under the
3 Washington Residential Landlord-Tenant statute.

4 7. The vast majority of my practice involves representing low-income
5 clients against businesses and corporations such as the Plaintiffs in this case.

6 8. I am experienced in complex litigation, including consumer class
7 action cases, prosecuted under various consumer protection statutes.

8 9. I have lectured to attorneys in the following legal education seminars
9 including but not limited to the following:

10	Gonzaga University Law School/ Spokane County Bar Association	CLE for Northwest Justice Project and other legal services sponsored by NCLC
11	<i>Training for Debt Defense CLE</i>	<i>FDCPA & Collection Defense</i>
12	“Defendant Debt Collection Lawsuits/ Assignment of Debt and Business Records Exception to Hearsay”	“Defendant Debt Collection Lawsuits/ Assignment of Debt and Business Records Exception to Hearsay”
13	February 18, 2011, Spokane, Washington	September 14-15, 2010 Seattle, Washington

14		
15	Fairchild Air Force Base JAG training	CLE to NCLC Consumer Rights Debt Collection Defense Intensive Conference Participants
16	<i>Training for JAG officers on Consumer Law Issues</i>	<i>“Defense perspectives on Plaintiff’s Litigation Trends in Debt Collection Defense”</i>
17	“Debt Collection Defense” October 21, 2011	October 6, 2011 Chicago, Illinois
18	Fairchild AFB, Washington	

1 CLE for the Yakima County Bar
2 Association
3 “Debt Collection Defense”
4 October 2012, Yakima, WA

CLE for Benton/Franklin County Bar
Association and Legal Aid Society
“Debt Collection Defense”
March 22, 2013, Richland, WA

5 Washington Consumer Law Task
6 Force – Annual Gathering and CLE
7 “Defenses to Debt Buyer Lawsuits”
8 September 12, 2014
9 Seattle, WA

Northwest Consumer Law Center –
1st Annual Consumer Law Intensive
Cle “FDCPA and Debt Collection
Defense”
March 10, 2016, Seattle, WA

2015 Access to Justice Conference
Issues in Washington Debt Buyer
Litigation
June 13, 2015, Wenatchee, WA

Featured presenter at:
Northwest Consumer Law Center –
2nd Annual Consumer Law Intensive
Cle “Recovering Costs and Attorney’s
Fees Defending Debt Collection
Cases”
March 7, 2017 Seattle, WA

Northwest Justice Project
Garnishment 1.0 and 2.0;
Everything You’ve Ever Wanted to
Know About Garnishment
March 20, 2017, Seattle, WA

Washington Association for Justice
Consumer Protection CLE
Presenting on the FDCPA chapter
October 11, 2017

Yakima Bar Association CLE
Debt Defense and Attorney Fees
Yakima, WA
November 10, 2017

National Consumer Law Center
Consumer Rights Litigation
Conference
Post-Judgment Consumer Actions
Las Vegas, NV
November 2018

Spokane County Bar Association
Consumer Law CLE
Spokane, WA
November 2019

10. I am co-author of the Washington Association for Justice Consumer
Rights Deskbook FDCPA and Usury sections.

1 11. I have held an active role in establishing and maintaining the Spokane
2 Volunteer Lawyers Consumer Advocacy Program (CAP) and donate many pro-
3 bono hours each year to representing low-income individuals in Spokane County
4 Superior and District Courts.

5 12. Prior to the COVID-19 court shutdowns, I volunteered most Fridays
6 with the Spokane County Bar Association Volunteer Lawyers Consumer
7 Assistance Program, assisting and/or representing low-income individuals who
8 appear in court with consumer issues.

9 13. I have attended many local and national Continuing Legal Education
10 seminars on the topic of consumer rights, FDCPA, and debt collection defense,
11 including but not limited to: National Consumer Law Center (NCLC) trainings in
12 Washington, D.C. (2007, 2013, 2018); Chicago, IL; Seattle, WA; Philadelphia, PA,
13 San Antonio, TX, Jacksonville, FL, Tampa, FL, Anaheim, CA, and New Orleans,
14 LA (2017), Las Vegas, NV (2018), Boston, MA (2019).

15 14. I am a multi-year recipient of the Spokane County Bar Association
16 Consumer Advocate of the Year Award.

17 15. I have been an active member of the National Association of
18 Consumer Advocates (NACA) for more than 10 years.

19 16. I have served continuously since 2014 as the Washington State Chair
20 for the National Association of Consumer Advocates (NACA).

1 17. I have served on the Spokane County Bar Association Volunteer
2 Lawyers Program Advisory Committee.

3 18. I previously served a six-year uncompensated term on the board of
4 directors for Family Promise Spokane, a non-profit organization that serves
5 homeless families in the Spokane community.

6 19. I am an AVVO 10-rated attorney.

7 20. I was named one of Spokane's top 100 attorneys from 2016 – present
8 in Spokane and Coeur d'Alene Living Magazine, in the categories of Bankruptcy
9 and Debt, and Litigation.

10 21. I previously served on the Washington State Bar Association Rules
11 Committee, as chairperson for the Evidence rules sub-committee.

12 22. I run a for-profit law firm but because my clients are typically low-
13 income, it is my practice to regularly accept a small or no retainer from my clients.
14 Most of my living is earned on a contingent-fee basis under statutory fee-shifting
15 provisions.

16 23. A reasonable hourly rate for my class action contingent fee cases is
17 \$525.00 per hour. Because my firm has limited staff and my firm is one of the
18 only area consumer rights-focused firms, allocation of resources to this case
19 prevented certain funds and personnel efforts from being directed to the
20 prosecution of others.

1 24. My hourly rate is consistent with that charged by other attorneys of
2 similar skill and experience in Washington state and federal courts.

3 25. I have exercised billing discretion in this case and voluntarily reduced
4 both my own hours and those of my staff.

5 26. I prosecuted the claims at issue efficiently and effectively, making
6 every effort to prevent duplication of work and delegating tasks to co-counsel and
7 non-attorney staff whenever possible.

8 27. All the fees requested by my firm were reasonably incurred and
9 entirely contingent upon a successful outcome.

10 28. While I have voluntarily reduced my fees to accommodate settlement
11 in both individual and class action cases throughout my years of practice, my fee
12 request in this case matches the presumptively reasonable 25% ninth-circuit
13 benchmark.

14 29. I own one of the only dedicated consumer-rights focused law firms in
15 the state of Washington that is willing to take on consumer cases such as the one at
16 bar.

17 30. Attached hereto as **Exhibit A** is a true and correct copy of my firm's
18 billing records prepared using our Time and Billing™ software. The records were
19 made at or near the time of the event by a person with knowledge of the event
20 (namely, Kirk D. Miller, co-counsel, or office staff). My firm normally bills

1 Paralegal support staff at \$150.00 per hour and \$90.00 per hour for legal assistant
2 time. I have investigated and am familiar with rates charged for paralegals and
3 legal assistants in this region and my firm's rate is at, or below the market rate for
4 such services. Although not required, the court may review my firm's time and
5 billing as a lodestar cross-check of the reasonableness of the fee request.

6 31. I anticipate spending an additional 10-15 hours on this case between
7 submission of this declaration and final approval of the class settlement and
8 distribution of funds to the class members.

9 32. Attached hereto as **Exhibit B** is a true and correct copy of my firm's
10 costs incurred in litigating this matter, which have been subsumed into the 25
11 percent of the common fund request for attorney's fees and costs.

12 33. Prior to the commencement of this lawsuit, my co-counsel and I spent
13 significant time investigating and researching causes of action under RCW
14 59.18.253 and RCW 59.18.257, as well as Defendant's practices related to those
15 statutes at several of its properties. Most of these hours are not reflected in our time
16 sheets.

17 34. Class Representative Brianna Morris pursued her and the classes'
18 claims vigorously. She assisted in investigating Defendant's business practices,
19 drafting the complaint, and participated extensively with Class Counsel in
20 negotiating an agreed settlement in this matter.

1 SIGNED at Spokane, WA, this 12th day of November, 2021.

2
3 s/ Kirk D. Miller

4 KIRK D. MILLER, WSBA #40025

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EXHIBIT A

*Declaration of Kirk D. Miller in Support of
Plaintiff's Motion for Award of Attorneys'
Fees, Costs and Service Award
Morris v. FPI Management, Inc.
2:19-CV-0128 TOR*

KIRK D MILLER PS
421 W Riverside Ave
Suite 660
Spokane, WA 99201
kniller@millerlawspokane.com

Bill to:
Brianna Morris

Morris, Brianna v. FPI 0781
Payment due on receipt.

INVOICE

To November 12, 2021

Invoice Date November 12, 2021
Invoice Number 62
Due Date Due Upon Receipt

Account Summary	
Previous Balance	\$0.00
Payments Received	\$0.00
Outstanding Balance	\$0.00
Current Invoice	\$110,002.50
Total Due	\$110,002.50

Morris, Brianna v. FPI

November 12, 2021

Fee Detail

Date		Description	Hours	Rate	Total
4/4/2019	KDM	Conf. w/ Shayne Sutherland re FPI .253 case. Research/update .253 and online research of FPI.	2.10	\$525.00/hr	\$1,102.50
4/4/2019	KDM	discussion w/ JS/EC/RE re preservation of website information. Review captures for static and dynamic data preservation.	1.20	\$525.00/hr	\$630.00
4/4/2019	SJS	RsCh: FPI Management	0.60	\$450.00/hr	\$270.00
4/5/2019	SJS	Conf: With CL conc. case	0.90	\$450.00/hr	\$405.00
4/6/2019	SJS	RsCh: Other FPI properties' disclosures (6.2)	6.20	\$450.00/hr	\$2,790.00
4/11/2019	KDM	Rvw/Drft complaint. discussion w/ Shayne Sutherland re same.	1.80	\$525.00/hr	\$945.00
4/11/2019	SJS	Drft: Complaint; Rvw: documentation on file	4.10	\$450.00/hr	\$1,845.00
4/15/2019	KDM	final edits to summons/complaint.	0.90	\$525.00/hr	\$472.50
4/15/2019	SJS	Comm: Pcs with CL (0.6); RsCh: Other FPI Properties (1.5); Drft: Edits to Complaint (1.0)	3.10	\$450.00/hr	\$1,395.00
4/16/2019	KDM	discussion w/ RE and final edits to complaint. discussion w/ staff re SOP and timing.	0.90	\$525.00/hr	\$472.50
5/6/2019	SJS	Drft: First Set of Discovery	3.50	\$450.00/hr	\$1,575.00
5/7/2019	SJS	Drft: First sets of Discovery	4.20	\$450.00/hr	\$1,890.00
5/8/2019	KDM	Drft/Rvw/Edit first round of discovery to be propounded on FPI.	2.60	\$525.00/hr	\$1,365.00
5/8/2019	SJS	Drft: Edits to Discovery	0.80	\$450.00/hr	\$360.00
5/29/2019	SJS	Drft: Edits to first sets of RFA, RFPS and ROGS	2.00	\$450.00/hr	\$900.00
6/18/2019	KDM	final Kirk Miller edits to discovery before sending to OC.	0.60	\$525.00/hr	\$315.00
6/18/2019	SJS	Drft: Final Edits to Discovery	1.30	\$450.00/hr	\$585.00
7/11/2019	KDM	PC w/ Dan Baxter who will be appearing pro hac. discussion w/ Shayne Sutherland re same.	0.50	\$525.00/hr	\$262.50
7/17/2019	KDM	discussion w/ Shayne Sutherland and rvw/drft/edit default pleadings.	0.80	\$525.00/hr	\$420.00

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Date		Description	Hours	Rate	Total
7/17/2019	SJS	Rvw: File and Rules for Default; Order to Show Cause; Discuss with Para; Drft: Response	1.00	\$450.00/hr	\$450.00
7/18/2019	KDM	email from OC re extension to answer. brief conf. w/ staff and Shayne Sutherland re same.	0.40	\$525.00/hr	\$210.00
7/19/2019	KDM	review and instructions to get proof of service filed.	0.20	\$525.00/hr	\$105.00
7/26/2019	KDM	email from/to Dan Baxter re additional extension to file. discussion w/ staff and Shayne Sutherland re same.	0.30	\$525.00/hr	\$157.50
8/12/2019	KDM	NOA from Yeung and Tebbs. Review online profiles and practice areas.	0.60	\$525.00/hr	\$315.00
8/13/2019	KDM	discussion w/ Shayne Sutherland re appearance of counsel and next litigation steps.	0.50	\$525.00/hr	\$262.50
8/13/2019	SJS	Rvw: Opposing Counsel NOAs; Rsch: OCs; Conf: Disc. with Kirk Miller conc. road forward	1.10	\$450.00/hr	\$495.00
8/14/2019	KDM	emails to/from Binah Y. re extension on discovery responses. Discussion w/ Shayne Sutherland and staff re same and setting new calendar deadline.	0.30	\$525.00/hr	\$157.50
8/17/2019	KDM	rvw answer to complaint and compare admissions/denials to original complaint.	1.50	\$525.00/hr	\$787.50
9/23/2019	KDM	conf. w/ Shayne Sutherland re 26f conference w/opposing counsel	0.40	\$525.00/hr	\$210.00
9/23/2019	SJS	Rvw: File for information and updates; Comm: With OC conc. 26f conference	0.50	\$450.00/hr	\$225.00
9/24/2019	SJS	Comm: With OC conc. Conference; Drft: Edits to JSR	0.60	\$450.00/hr	\$270.00
10/9/2019	KDM	rvw ECF scheduling conference notice. brief discussion re same w/staff.	0.20	\$525.00/hr	\$105.00
10/10/2019	KDM	Rvw mark-up defendant's initial disclosures.	0.60	\$525.00/hr	\$315.00
10/15/2019	KDM	online research FPI re anticipated discovery.	2.60	\$525.00/hr	\$1,365.00
10/16/2019	KDM	rvw scheduling order and brief discussion w/ staff re upcoming deadlines.	0.50	\$525.00/hr	\$262.50

Morris, Brianna v. FPI

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Date		Description	Hours	Rate	Total
10/16/2019	SJS	prep and attend telephonic scheduling conference.	0.40	\$450.00/hr	\$180.00
10/17/2019	KDM	rvw and approve initial disclosures to defendant.	0.20	\$525.00/hr	\$105.00
10/17/2019	SJS	Rvw: Case File and other FPI properties for evidence of admissions (0.9); Drft: Initial Disclosures (0.6); Update for Firm Use (0.8)	2.30	\$450.00/hr	\$1,035.00
10/24/2019	SJS	Rvw: Defendant's Answnrs to discovery confirm with evidence on file (2.4); Drft: File Update for firm (0.8)	3.20	\$450.00/hr	\$1,440.00
11/1/2019	SJS	Drft: Motion for Class Certification	4.10	\$450.00/hr	\$1,845.00
11/4/2019	SJS	Drft: Motion for Class Cert and Supporting Docs	5.10	\$450.00/hr	\$2,295.00
11/5/2019	SJS	Drft: Edits to Motion for Class Cert	2.40	\$450.00/hr	\$1,080.00
11/6/2019	KDM	drft/rvw/edit motion for class cert.	2.50	\$525.00/hr	\$1,312.50
1/13/2020	KDM	rvw/edit/drft declaration of Morris in support of class cert.	0.30	\$525.00/hr	\$157.50
2/7/2020	SJS	Drft: Edits to class cert docs	1.90	\$450.00/hr	\$855.00
2/10/2020	KDM	draft decl in support of class cert. edits to motion for cert and supporting docs.	1.00	\$525.00/hr	\$525.00
2/20/2020	KDM	rvw email chain and stipulation re scheduling class cert hearing.	0.40	\$525.00/hr	\$210.00
2/26/2020	KDM	conf. w/ Shayne Sutherland and Brian Cameron re proposed settlement terms at defendant's request. outline demand.	1.20	\$525.00/hr	\$630.00
2/27/2020	KDM	draft settlement email	0.30	\$525.00/hr	\$157.50
2/28/2020	KDM	rvw email from OC re settlement and possible mediation. Discussion w/ Shayne Sutherland re same.	0.30	\$525.00/hr	\$157.50
3/3/2020	KDM	emails with OC and discussion w/ Shayne Sutherland and Teri Bracken re scheduling mediation w/ Judge Corbit.	0.40	\$525.00/hr	\$210.00
3/5/2020	KDM	email chain and drft/edit stipulated motion to stay.	0.60	\$525.00/hr	\$315.00

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Date		Description	Hours	Rate	Total
3/10/2020	KDM	rvw order on motion to stay and discussion with Teri Bracken re scheduling.	0.30	\$525.00/hr	\$157.50
4/30/2020	KDM	email chain re scheduling mediation w/ Jolene Britton and OC.	0.30	\$525.00/hr	\$157.50
5/8/2020	KDM	email chain w/ Shayne Sutherland and staff re coordinating mediation online.	0.30	\$525.00/hr	\$157.50
6/3/2020	KDM	dfu/edit mediation statement.	2.00	\$525.00/hr	\$1,050.00
6/3/2020	SJS	Drft: Mediation Statement	2.60	\$450.00/hr	\$1,170.00
6/4/2020	KDM	final edits to mediation statement	0.70	\$525.00/hr	\$367.50
6/4/2020	SJS	Drft: Final Edits to mediation statement (0.4)	0.40	\$450.00/hr	\$180.00
6/5/2020	KDM	email chain w/ OC, Shayne Sutherland and Jolene Britton re scheduling mediation.	0.30	\$525.00/hr	\$157.50
6/8/2020	KDM	email chain w/ OC and BK court re scheduling and COVID protocol.	0.30	\$525.00/hr	\$157.50
6/8/2020	TB	Review, Finalize & Serve Agreed Preliminary Mediation Statement	0.50	\$150.00/hr	\$75.00
6/12/2020	KDM	email from court cancelling mediation due to covid. Phone call w/ Shayne Sutherland re same. emails re: rescheduling.	0.70	\$525.00/hr	\$367.50
8/5/2020	KDM	Emails from Jolene B. and OC re rescheduling mediation.	0.20	\$525.00/hr	\$105.00
8/10/2020	KDM	discussion w/ Shayne Sutherland re new mediator. Email to OC re alternative mediators.	0.60	\$525.00/hr	\$315.00
8/21/2020	KDM	Online research of Sharon Armstrong as proposed mediator.	0.80	\$525.00/hr	\$420.00
9/2/2020	SJS	Comm: email to OC conc. mediation	0.20	\$450.00/hr	\$90.00
9/8/2020	KDM	discussion/direction to staff re motion to stay proceedings. rvw/edit same.	0.40	\$525.00/hr	\$210.00
9/8/2020	KDM	Rvw/edit expert disclosures.	0.20	\$525.00/hr	\$105.00
9/8/2020	TB	Draft 2nd Stip to Stay Proceedings	0.50	\$150.00/hr	\$75.00
9/11/2020	KDM	rvw emails w/ OC re mediaiton	0.20	\$525.00/hr	\$105.00
9/11/2020	SJS	Comm: Emails with OC conc. mediation	0.20	\$450.00/hr	\$90.00

Morris, Brianna v. FPI

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Date		Description	Hours	Rate	Total
10/1/2020	TB	Research JAMS Rules - Docket Mediation Schedule and Requirements	1.00	\$150.00/hr	\$150.00
10/9/2020	KDM	rvw stipulated motion to continue case schedule deadlines.	0.30	\$525.00/hr	\$157.50
10/19/2020	KDM	rvw amended scheduling order and brief discussion w/ Teri Bracken re same.	0.20	\$525.00/hr	\$105.00
10/26/2020	SJS	Drft: Mediation Brief (6.9)	6.90	\$450.00/hr	\$3,105.00
10/27/2020	SJS	Drft: mediation brief and prepare and review materials	3.10	\$450.00/hr	\$1,395.00
10/27/2020	TB	Review/Revise Mediation Statement; Draft Declaration of Shayne Sutherland in support of Mediation Brief	2.50	\$150.00/hr	\$375.00
10/28/2020	KDM	drf/rvw/edit mediation statement and exhibits. discussion w/ Shayne Sutherland and staff re same and finalizing.	2.90	\$525.00/hr	\$1,522.50
10/28/2020	TB	Finalize Mediation Brief and Declaration of Counsel w/Exhibits; File with JAMS/ADR	2.00	\$150.00/hr	\$300.00
11/2/2020	BGC	Rvw./verify/annotate DFs mediation statement; CONF CC	1.00	\$450.00/hr	\$450.00
11/2/2020	KDM	rvw mediation statement, discussion w/ Shayne Sutherland and conference w/ mediator	2.50	\$525.00/hr	\$1,312.50
11/2/2020	KDM	rvw mediation materials rev'd from OC.	0.70	\$525.00/hr	\$367.50
11/2/2020	SJS	Lit: PC with mediator (0.9); PC with CL (0.4)	1.30	\$450.00/hr	\$585.00
11/2/2020	SJS	Rvw: Mediation materials from OC; Rvw: Evidence	0.50	\$450.00/hr	\$225.00
11/4/2020	KDM	Prep and attend mediation.	8.10	\$525.00/hr	\$4,252.50
11/4/2020	SJS	Lit: Mediation	7.70	\$450.00/hr	\$3,465.00
11/11/2020	KDM	conf. w/ Shayne Sutherland and Brian Cameron regarding case status and next steps.	0.60	\$525.00/hr	\$315.00
11/11/2020	KDM	email chain w/ Shayne Sutherland and mediator re her proposal. Discussion with Shayne Sutherland and Brian Cameron re same and next steps on settlement.	0.90	\$525.00/hr	\$472.50

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Date		Description	Hours	Rate	Total
11/11/2020	SJS	Comm: with Judge Anderson conc. settlement (0.1); Conf: with CC conc. strategy and case going forward (0.6)	0.70	\$450.00/hr	\$315.00
11/13/2020	KDM	dft/rvw/edit settlement docs.	1.30	\$525.00/hr	\$682.50
11/13/2020	SJS	Drft: Settlement docs	4.80	\$450.00/hr	\$2,160.00
12/23/2020	KDM	rvw MOU received re settlement from OC and discussion with Shayne Sutherland and Brian Cameron re same.	1.60	\$525.00/hr	\$840.00
1/4/2021	KDM	redline and brief discussion w/ Shayne Sutherland re same on MOU.	0.40	\$525.00/hr	\$210.00
1/19/2021	KDM	email to OC re 1099 issue in MOU.	0.20	\$525.00/hr	\$105.00
1/28/2021	KDM	drft/edit settlement docs.	1.30	\$525.00/hr	\$682.50
2/4/2021	KDM	Discussion w/ Shayne Sutherland and Teri Bracken re settlement notice. Final edits to same.	0.30	\$525.00/hr	\$157.50
2/4/2021	TB	Draft Notice of Preliminary Settlement	0.40	\$150.00/hr	\$60.00
2/16/2021	KDM	rsrch 1099 issue. conference w/ Shayne Sutherland re same.	1.30	\$525.00/hr	\$682.50
2/17/2021	SJS	Conf: with CC conc. settlement; Comm: email to OC conc. 1099 issue	0.50	\$450.00/hr	\$225.00
2/18/2021	SJS	Rschr: Tax 1099 issue	2.00	\$450.00/hr	\$900.00
2/19/2021	KDM	conf. w/ Shayne Sutherland re class administration.	0.30	\$525.00/hr	\$157.50
2/19/2021	SJS	Conf: With CC conc. class administrators (0.3); Comm: to OC conc. class administration (0.1)	0.40	\$450.00/hr	\$180.00
3/3/2021	KDM	email to OC re 1099 issue.	0.20	\$525.00/hr	\$105.00
3/8/2021	KDM	rvw MOU and discussion w/ Shayne Sutherland re same.	0.60	\$525.00/hr	\$315.00
3/8/2021	SJS	Rvw: Final MOU and instructions to staff concerning communications	0.20	\$450.00/hr	\$90.00
3/11/2021	KDM	email to class admin re CAFA notice.	0.20	\$525.00/hr	\$105.00
4/14/2021	KDM	Conf. w/ Shayne Sutherland and staff re next steps. rvw notice of preliminary settlement.	0.30	\$525.00/hr	\$157.50

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Date		Description	Hours	Rate	Total
4/14/2021	SJS	Conf: With CC and staff conc. road forward	0.30	\$450.00/hr	\$135.00
4/14/2021	TB	Revise & Finalize Notice of Preliminary Settlement	0.70	\$150.00/hr	\$105.00
5/3/2021	KDM	coordinate transfer of class settlement payment to trust.	0.50	\$525.00/hr	\$262.50
6/9/2021	SJS	Drft: Settlement agreement and Memo in Support of Certification	3.40	\$450.00/hr	\$1,530.00
6/14/2021	SJS	Drft: Settlement agreement and preliminary approval and certification motion	6.00	\$450.00/hr	\$2,700.00
6/15/2021	SJS	Drft: Settlement agreement and preliminary approval and certification memo and orders	8.40	\$450.00/hr	\$3,780.00
6/16/2021	KDM	rcv and rvw P&N class admin cost estimate w/ Shayne Sutherland.	0.50	\$525.00/hr	\$262.50
6/16/2021	SJS	Drft: preliminary approval documents and supporting pleadings	7.60	\$450.00/hr	\$3,420.00
6/17/2021	SJS	Drft: Approval docs and edits to settlement	7.40	\$450.00/hr	\$3,330.00
6/18/2021	SJS	Drft: Final edits to approval docs	5.10	\$450.00/hr	\$2,295.00
6/21/2021	KDM	Drft/Rvw/Edit memo and exhibits for preliminary approval. Discussion w/ Shayne Sutherland and Teri Bracken re same and next steps.	5.40	\$525.00/hr	\$2,835.00
6/23/2021	TB	Revise Memo ISO Motion for Prelim Approval of Class Settlement	2.50	\$150.00/hr	\$375.00
6/24/2021	TB	Final Revisions to Memo ISO Motion to Approve Class Settlement	3.50	\$150.00/hr	\$525.00
6/25/2021	SJS	Drft: Edits to Final Docs	1.10	\$450.00/hr	\$495.00
7/26/2021	KDM	discussion w/ Shayne Sutherland re: discussion w/ OC on settlement status.	0.30	\$525.00/hr	\$157.50
7/26/2021	SJS	Rvw: Comms with OC; Comm: with OC conc. settlement doc update	0.20	\$450.00/hr	\$90.00
8/9/2021	SJS	Comm: with CL conc. case (0.3)	0.30	\$450.00/hr	\$135.00
8/11/2021	SJS	Comm: email to OC conc. update	0.10	\$450.00/hr	\$45.00
8/14/2021	KDM	review pro hac motion from Baxter and corporate disclosure statement.	0.30	\$525.00/hr	\$157.50

Morris, Brianna v. FPI

November 12, 2021

Date		Description	Hours	Rate	Total
8/30/2021	SJS	Comm: PC to OC for update on settlement docs	0.10	\$450.00/hr	\$45.00
9/3/2021	SJS	Drft: Rvw and edits to pleadings after OC's edits (3.1); Comm: Email to OC conc. remaining issues (0.2)	3.30	\$450.00/hr	\$1,485.00
9/4/2021	KDM	rvw/edit/ conf. w/ Shayne Sutherland re OC edits to preliminary approval docs.	1.80	\$525.00/hr	\$945.00
9/8/2021	SJS	Rvw: Email to OC; email to OC conc. docs	0.30	\$450.00/hr	\$135.00
9/9/2021	KDM	conf. w/ Shayne Sutherland re class definition issue.	0.40	\$525.00/hr	\$210.00
9/9/2021	SJS	Conf: prep for and disc. with OC disc settlement issues with class definition (0.3); Conf: with CC conc. resolution of class definition issues (0.4); Rvw: Class settlement documentation (0.4)	1.10	\$450.00/hr	\$495.00
9/10/2021	SJS	Rvw: OC edits to settlement documentation; Drft: edits to settlement documentation	0.90	\$450.00/hr	\$405.00
9/14/2021	KDM	Conf. w/ Shayne Sutherland re settlement issues.	0.30	\$525.00/hr	\$157.50
9/14/2021	SJS	Edits to policies(0.3); Comm: email to OC (0.1); Conf: with Kirk Miller disc. settlement (0.3)	0.70	\$450.00/hr	\$315.00
9/23/2021	KDM	email to court re settlement status.	0.20	\$525.00/hr	\$105.00
9/23/2021	SJS	Comm: email to OC conc. notices	0.10	\$450.00/hr	\$45.00
9/29/2021	SJS	Drft: Final edits to docs in support of prelim approval (4.1); Mts and orders to shorten time and to exceed page numbers (0.3)	4.40	\$450.00/hr	\$1,980.00
9/29/2021	TB	Edit & Finalize Motion for Preliminary Approval of Class Action Pleadings; Prepare and File Motion to Exceed Page Limit and Order and Motion to Expedite Hearing & Order	3.50	\$150.00/hr	\$525.00
10/6/2021	SJS	Comm: with Class Administrator regarding notice	0.40	\$450.00/hr	\$180.00
10/7/2021	KDM	Conf w/ Shayne Sutherland re class information and discussion re call to OC. Rvw/edit Stipulated Motion/Order to Stay case.	0.60	\$525.00/hr	\$315.00

Morris, Brianna v. FPI

November 12, 2021

Date		Description	Hours	Rate	Total
10/7/2021	SJS	Comm: PCs with class administrator (0.5); Conf: with CC conc. Class information (0.2); PC with OC conc. stipulation (0.1); Drft: Stipulated Motion and Order to Stay case scheduling order (0.4)	1.20	\$450.00/hr	\$540.00
10/18/2021	SJS	Rvw: Class administration documents	0.50	\$450.00/hr	\$225.00
10/25/2021	SJS	Drft: Motion for Fees (2.1); Rvw: case deadlines (0.3)	2.40	\$450.00/hr	\$1,080.00
10/28/2021	SJS	Comm: with Class administrator conc. funding	0.20	\$450.00/hr	\$90.00
10/29/2021	KDM	conf. w/ Shayne Sutherland re settlement funding.	0.20	\$525.00/hr	\$105.00
10/29/2021	SJS	Rvw: Funding instructions, disc. with Kirk Miller	0.20	\$450.00/hr	\$90.00
11/8/2021	SJS	Rsch and Rvw: relevant case law attorney's fees (2.6); Drft: M for Attorney's Fees (5.1)	7.70	\$450.00/hr	\$3,465.00
11/9/2021	SJS	Drft: M for attorney fees and supporting docs (4.8)	4.80	\$450.00/hr	\$2,160.00
11/9/2021	TB	Motion to Exceed Page Limit on Motion for Atty Fees; Motion to Expedite Hearing; Proposed Orders	1.00	\$150.00/hr	\$150.00
11/10/2021	SJS	Comm: With OC conc. motions to exceed page limits and to shorten time; Rvw and edit motions	0.40	\$450.00/hr	\$180.00
11/11/2021	KDM	dftrvw/edit fee motion and supporting docs.	3.40	\$525.00/hr	\$1,785.00
11/12/2021	SJS	Drft: Final edits to pleadings in support of M- Atty Fees	3.90	\$450.00/hr	\$1,755.00
Hours Total			244.50	Fee Total	\$110,002.50

Expense Detail

Date	Description	Quantity	Rate	Total
<i>No expenses have been charged for this invoice.</i>				
Expenses Total				\$0.00

Morris, Brianna v. FPI

November 12, 2021

Fees	\$110,002.50
Expense	\$0.00
Current Due	\$110,002.50
Outstanding Balance	\$0.00
Total Due	\$110,002.50

Timekeeper Summary

Timekeeper	Hours
Brian Cameron	1.00
Kirk Miller	72.10
Shayne J Sutherland	153.30
Teri Brown	18.10
Total Hours	244.50

Morris, Brianna v. FPI 0781
Brianna Morris

Due Date	Due Upon Receipt
Invoice #	62
Total Due	\$110,002.50
Amount Paid	\$ <input type="text"/>

Make payment to:

KIRK D MILLER PS
421 W Riverside Ave
Suite 660
Spokane, WA 99201

EXHIBIT B

*Declaration of Kirk D. Miller in Support of
Plaintiff's Motion for Award of Attorneys'
Fees, Costs and Service Award
Morris v. FPI Management, Inc.
2:19-CV-0128 TOR*

Kirk D. Miller, P.S.

421 W. RIVERSIDE AVE., STE. 660
SPOKANE, WA 99201

Brianna Morris v. FPI Management, Inc.

USDC Eastern WA Case No.: 2:19-cv-00128 TOR

CASE EXPENSES

DATE	DESCRIPTION	RATE	TOTAL
04/16/2019	USDC Eastern WA Filing Fee		\$400.00
06/20/2019	Service of Process Fee		\$ 55.00
Throughout case	Photocopies, Printing and Scans (Over 2,000)	.35 per page	\$700.00
	Total Reimbursement Requested		\$1,100.00