

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

SAMUEL K. LIPARI,)	
)	
)	Plaintiff,
)	
vs.)	Case No. 07-CV-02146-CM-DJW
)	
U.S. BANCORP, and)	
)	
U.S. BANK NATIONAL ASSOCIATION,)	
)	
)	Defendants.
)	

DECLARATION OF JAY E. HEIDRICK

I, Jay E. Heidrick, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of this Court’s bar (No. 20770), and practice at Shughart, Thomson & Kilroy, P.C. I am one of the attorneys representing the Defendants in the above-entitled action. I am also the attorney who drafted the Motion to Compel Plaintiff’s Compliance with Rule 26(a)(1) (Doc. # 68) and the Memorandum in Support (Doc. # 70).
2. I have personal knowledge of the matters stated herein.
3. I have analyzed the billing records applicable to this matter. In doing so, I have determined that the total amount of attorney’s fees incurred in drafting the Motion to Compel and Memorandum in Support is \$1395.00
4. In arriving at this figure, I have included only those attorney’s fees that represent activities related to Defendants’ Motion to Compel Compliance with Rule 26(a)(1) and the Memorandum in Support. All attorney’s fees associated with other work in the defense of this action in this Court or Plaintiff’s other lawsuits have been excluded.

5. The billing records applicable to Plaintiff's appeal are attached as Exhibit A to Defendants' Motion for Leave to file Documents Under Seal, Doc. No. 126, and are incorporated by reference. All work not associated with the Motion for to Compel and Memorandum in Support has been redacted from these records and has not been calculated as part of the fees associated with the Motion to Compel and Memorandum in Support.

6. As shown in the billing records, I performed 6.2 hours of work in researching, drafting and filing the Motion to Compel and Memorandum in Support. I completed this work at a rate of \$225.00 per hour. I am a sixth year attorney with extensive experience in litigation and discovery practice. I believe this rate to be fair and reasonable when compared to other attorneys in the Kansas City area of similar age and experience.

7. Based on my review of the billing records, and my personal knowledge of the work performed, the attorney's fees incurred are true, accurate, and reasonable.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 27th day of August, 2008.

s/ Jay E. Heidrick
JAY E. HEIDRICK

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was filed electronically with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 27th day of August, 2008, to:

Mr. Samuel K. Lipari
297 NE Bayview
Lee's Summit, MO 64064

/s/ Jay E. Heidrick _____
Attorney for Defendants