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4 IN THE CIRCUIT COURT OF THE STATE OF OREGON
5 FOR THE COUNTY OF MULTNOMAH

6 IMA WHINER)

7 Plaintiff,)

8 v.)

9 THE BOTTOM LINE, INC., an Oregon)
10 Corporation)

11 Defendant.)

Case No. 000000000001

PLAINTIFF'S STATEMENT OF
ATTORNEY FEES AND COSTS

12 STATE OF OREGON)
13)ss
County of Multnomah)
14

15 The undersigned attorney represents to the court, under penalties of perjury, the following
16 facts offered in support of an award of reasonable and necessary attorney fees are true:

17 1. Plaintiff is entitled to recover attorney fees because she was the prevailing party
18 on her breach of contract claim, in that she was awarded \$12,450 against defendant, and the
19 contract provides that the prevailing party is entitled to recover attorney fees. Plaintiff recognizes
20 that she dismissed her claims for negligence, fraud, misrepresentation, defamation and
21 intentional interference with prospective economic advantage prior to trial, and has discounted
22 10% of attorney time as the time spent on these claims, for which there is no attorney fee
23 entitlement. Plaintiff's fee request reflects a 10% deduction, though the time entries include all
24 time spent on this matter.

25 2. The number of hours and services rendered in this matter for each attorney, clerk
26

1 and paralegal and the hourly rates for each are set forth in detail in Exhibit 1 attached. All such
2 services were reasonable and necessary in this matter, and the hourly rates and total amounts
3 charged are also reasonable and necessary. Exhibit 1 is summarized as follows:

Name	Position	Hourly Rate	Total Hours	Value
Felicia N. Billher	Partner	\$300	75.70	\$22,710.00
William B. Workfile	Partner	\$300	4.0	\$1,200.00
Sarah T. Much	Partner	\$300	3.6	\$1,080.00
Bill N. Blocks	Associate	\$240	24.5	\$5,880.00
John B. Greed	Associate	\$235	38	\$8,930.00
Jessica C. Moore	Associate	\$200	9.0	\$1,800.00
Cora Burke	Associate	\$200	27.3	\$5,460.00
Jennifer Haut	Associate	\$180	.6	\$108.00
Joe Sanders	Associate	\$160	9.1	\$1,456.00
James L. Simms	Associate	\$160	40	\$6,400.00
Bill Able	Law Clerk	\$110	25.9	\$2,849.00
Grace Robbins	Paralegal	\$80	3.0	\$240.00
TOTAL:				\$58,113.00
(Less 10%)				(-5,811.30)
GRAND TOTAL:				\$52,301.70

3. Plaintiff is entitled to the recovery of \$2,609.53 for costs as authorized by ORCP 68 and
the parties' contract.

4. The parties' contract, which is already before the Court, and Exhibit 1, attached,
set forth the specific basis for the award and amount of fees as required by ORS 20.075. The
court should consider the factors checked below in determining a reasonable attorney fee award.

☒ The novelty and difficulty of the questions involved.

☒ Skills requisite to perform the legal service properly.

☐ The likelihood, if apparent to the client, that the acceptance of the particular
employment will preclude other employment by the lawyer.

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- ☒ Fees customarily charged in the locality for similar legal services.
- ☒ The amount involved and the results obtained.
- ☐ The time limitations imposed by the client or by the circumstances.
- ☐ The nature and length of the professional relationship with the client.
- ☒ The experience, reputation and ability of the lawyer(s) performing the services.
- ☒ Whether the fee is fixed or contingent.
- ☒ The skill, experience, reputation and ability of opposing counsel.

5. Based on the above, plaintiff is entitled to an award of reasonable and necessary attorney fees in the sum of \$52,301.70 and costs in the sum of \$2,609.53 for a total of \$54,911.23.

The above statement is true to the best of my knowledge and belief and is subject to penalty for perjury.

DATED this ____ day of May, 6.

WORKFILE, BILLHER & MUCH LLP

By: _____
Felica N. Billher, OSB #000000
E-Mail Address: fnb@wbmlp.com
Of Attorneys for Plaintiff

IMA WHINER
ITEMIZATION OF ATTORNEY FEES/COSTS

DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
11/4/04	MEETING WITH CLIENT RE ISSUES WITH BOTTOM LINE, INC	FNB	2.80	840.00
11/7/04	REVIEW CLIENT'S DOCUMENTS, CONSIDER POTENTIAL CLAIMS, MEET WITH W. WORKFILE AND S. MUCH REGARDING POTENTIAL CLAIMS, CONSIDERATIONS AND STRATEGY	FNB	3.20	960.00
11/7/04	MEET WITH F. BILLHER AND S. MUCH REGARDING POTENTIAL CLAIMS, CONSIDERATIONS AND STRATEGY	WBW	0.80	240.00
11/7/04	MEET WITH W. WORKFILE AND F. BILLHER REGARDING POTENTIAL CLAIMS, CONSIDERATIONS AND STRATEGY	STM	0.80	240.00
11/11/04	MEET WITH B. ABLE TO DISCUSS RESEARCH ASSIGNMENT WITH RESPECT TO POTENTIAL CLAIMS AGAINST BOTTOM LINE, INC	FNB	0.50	150.00
11/11/04	MEET WITH F. BILLHER REGARDING RESEARCH ASSIGNMENT, BEGIN REVIEW OF CLIENT DOCUMENTS AND AUTHORITIES TO DETERMINE POTENTIAL CLAIMS	BA	6.50	715.00
11/14/04	CONTINUE REVIEW OF CLIENT DOCUMENTS AND AUTHORITIES TO DETERMINE POTENTIAL CLAIMS, BEGIN DRAFTING MEMO TO F. BILLHER	BA	6.00	660.00
11/16/04	DISCUSS POTENTIAL CLAIMS AND STATUS OF RESEARCH WITH J. HAUT, CONTINUE DRAFTING MEMO TO F. BILLHER	BA	6.80	748.00
11/16/04	MEET WITH B. ABLE TO DISCUSS STATUS OF RESEARCH ASSIGNMENT AND SUGGEST FORMAT OF MEMO, ADDITIONAL ITEMS FOR REVIEW	JH	0.60	108.00
11/17/04	DISCUSS STATUS OF RESEARCH ASSIGNMENT WITH B. ABLE	FNB	0.20	60.00
11/17/04	DISCUSS STATUS OF RESEARCH ASSIGNMENT WITH F. BILLHER, FINISH DRAFTING MEMO TO F. BILLHER REGARDING POTENTIAL CLAIMS AGAINST BOTTOM LINE, INC	BA	5.80	638.00
11/18/04	REVIEW B. ABLE RESEARCH MEMO, DISCUSS SAME WITH C. BURKE, DISCUSS PREPARATION OF COMPLAINT WITH C. BURKE	FNB	2.10	630.00
11/18/04	DISCUSS PREPARATION OF COMPLAINT WITH FNB, REVIEW B. ABLE RESEARCH MEMO, BEGIN DRAFTING COMPLAINT	CB	6.10	1220.00
11/29/04	FINISH DRAFTING COMPLAINT, DISCUSS SAME WITH FNB	CB	5.20	1040.00
11/29/04	REVIEW COMPLAINT, DISCUSS SAME WITH C. BURKE	FNB	0.80	240.00

EXHIBIT

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DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
11/30/04	CONFERENCE WITH W. WORKFILE AND S. MUCH REGARDING DRAFT COMPLAINT AND STRATEGY, DISCUSS SAME IN PHONE CONFERENCE WITH CLIENT	FNB	1.00	300.00
11/30/04	CONFERENCE WITH S. MUCH AND F. BILLHER REGARDING DRAFT COMPLAINT AND STRATEGY	WBW	1.00	300.00
11/30/04	CONFERENCE WITH F. BILLHER AND W. WORKFILE REGARDING DRAFT COMPLAINT AND STRATEGY	STM	1.00	300.00
12/5/04	FINALIZE AND FILE COMPLAINT, ARRANGE FOR SERVICE OF SUMMONS	FNB	0.80	240.00
12/12/04	TELEPHONE CONFERENCE WITH COUNSEL FOR BOTTOM LINE, INC., CONSIDER REQUEST FROM OPPOSING COUNSEL FOR QUICK MEDIATION OF CLAIMS, DISCUSS SAME WITH W. WORKFILE and S. MUCH, CALL CLIENT AND DISCUSS REASONS TO AVOID QUICK MEDIATION	FNB	1.80	540.00
12/12/04	DISCUSSION WITH F. BILLHER AND S. MUCH REGARDING REQUEST FOR QUICK MEDIATION	WBW	0.40	120.00
12/12/04	DISCUSSION WITH W. WORKFILE AND F. BILLHER REGARDING REQUEST FOR QUICK MEDIATION	STM	0.40	120.00
12/13/04	TELEPHONE CONFERENCE WITH OPPOSING COUNSEL REGARDING REQUEST FOR MEDIATION	FNB	0.20	60.00
12/20/04	REVIEW ANSWER AND AFFIRMATIVE DEFENSES FILED BY BOTTOM LINE, INC., DISCUSS SAME WITH B. BLOCKS	FNB	1.20	360.00
12/20/04	MEET WITH FNB RE ANSWER AND AFFIRMATIVE DEFENSES, REVIEW SAME, REVIEW MEMO RE COMPLAINT DRAFTED BY B. ABLE, REVIEW AUTHORITIES RE VIABILITY OF AFFIRMATIVE DEFENSES, BEGIN DRAFTING MEMO TO F. BILLHER REGARDING SAME	BNB	5.80	1392.00
12/22/04	FINISH DRAFTING MEMO TO F. BILLHER REGARDING AFFIRMATIVE DEFENSES	BNB	6.10	1464.00
12/23/04	REVIEW B. BLOCKS' MEMO REGARDING AFFIRMATIVE DEFENSES, DISCUSS AFFIRMATIVE DEFENSES WITH CLIENT	FNB	0.50	150.00
12/29/04	DISCUSS DISCOVERY ISSUES AND STRATEGY WITH J. GREED	FNB	0.50	150.00
12/29/04	MEET WITH F. BILLHER TO DISCUSS DISCOVERY ISSUES AND STRATEGY, REVIEW COMPLAINT, ANSWER AND AFFIRMATIVE DEFENSES, FACTUAL BACKGROUND, AND MEMOS REGARDING SAME	JBG	3.20	752.00
1/9/05	CONSIDER DOCUMENTS NEEDED FROM OPPOSING PARTY AND THIRD PARTIES, BEGIN DRAFTING REQUEST FOR PRODUCTION OF DOCUMENTS	JBG	5.10	1198.50

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DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
1/10/05	FINISH DRAFTING REQUESTS FOR PRODUCTION OF DOCUMENTS, PREPARE SUBPEONAS FOR VARIOUS THIRD PARTY DOCUMENTS	JBG	4.80	1128.00
1/27/05	REVIEW AND EDIT REQUESTS FOR PRODUCTION AND SUBPOENAS	FNB	0.80	240.00
1/30/05	REVIEW, REVISE AND FINALIZE REQUESTS FOR PRODUCTION AND SUBPOENAS	JBG	1.40	329.00
1/31/05	CONFERENCE WITH W. WORKFILE REGARDING STATUS OF CASE	FNB	0.40	120.00
1/31/05	CONFERENCE WITH F. BILLHER REGARDING STATUS OF CASE	WBW	0.40	120.00
2/8/05	REVIEW AND RESPOND TO VOICEMAIL FROM CLIENT REGARDING STATUS	FNB	0.20	60.00
2/9/05	REVIEW REQUEST FOR PRODUCTION RECEIVED FROM OPPOSING COUNSEL, EMAIL CLIENT REGARDING SAME, DISCUSS SAME WITH J. SIMMS	FNB	0.60	180.00
2/9/05	CONFERENCE WITH F. BILLHER REGARDING REQUEST FOR PRODUCTION RECEIVED FROM OPPOSING COUNSEL, REVIEW CASE BACKGROUND IN PREPARATION FOR RESPONDING TO SAME	JLS	4.10	656.00
2/16/05	TELEPHONE CONFERENCE WITH CLIENT REGARDING PRODUCTION OF DOCUMENTS	JLS	0.30	48.00
2/20/05	MEET WITH CLIENT TO REVIEW DOCUMENTS	JLS	4.70	752.00
2/20/05	MEET WITH ASSOCIATES WORKING ON CASE TO DISCUSS STATUS	FNB	0.40	120.00
2/20/05	MEET WITH F. BILLHER REGARDING STATUS	JBG	0.40	94.00
2/20/05	MEET WITH F. BILLHER REGARDING STATUS	JLS	0.40	64.00
2/20/05	MEET WITH F. BILLHER REGARDING STATUS	BNB	0.40	96.00
2/23/05	PREPARE RESPONSES TO REQUESTS FOR PRODUCTION, DISCUSS SAME WITH F. BILLHER	JLS	5.20	832.00
2/24/05	FINISH PREPARING RESPONSES TO REQUESTS FOR PRODUCTION, DISCUSS SAME WITH CLIENT	JLS	4.90	784.00
2/26/05	REVIEW AND REVISE RESPONSES TO REQUESTS FOR PRODUCTION	FNB	0.80	240.00
2/27/05	REVIEW, REVISE AND FINALIZE WRITTEN RESPONSES TO REQUESTS FOR PRODUCTION	JLS	2.10	336.00
3/1/05	REVIEW CASE BACKGROUND IN PREPARATION FOR DOCUMENT REVIEW AT OPPOSING COUNSEL'S OFFICE	JCM	3.20	640.00
3/3/05	REVIEW DOCUMENTS AND MARK SAME FOR COPYING	JCM	5.80	1160.00

EXHIBIT

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DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
3/8/05	PREPARE CLIENT DOCUMENTS FOR REVIEW BY OPPOSING COUNSEL	GR	0.90	72.00
3/9/05	COPY AND BATES LABEL DOCUMENTS MARKED FOR COPYING BY OPPOSING COUNSEL	GR	2.10	168.00
3/10/05	REVIEW DOCUMENTS PRODUCED BY BOTTOM LINE, INC., CONSIDER MOTION TO COMPEL DOCUMENTS WITHHELD FROM PRODUCTION, DISCUSS SAME WITH J. SANDERS	FNB	1.20	360.00
3/10/05	MEET WITH F. BILLHER REGARDING POTENTIAL MOTION TO COMPEL, REVIEW CASE BACKGROUND, REQUESTS FOR PRODUCTION, AND RESPONSE FROM BOTTOM LINE, INC., PREPARE MOTION TO COMPEL	JS	7.80	1248.00
3/13/05	CALL OPPOSING COUNSEL TO CONFER ON MOTION TO COMPEL, DISCUSS OPPOSING COUNSEL'S AGREEMENT TO PROVIDE ADDITIONAL DOCUMENTS WITH JS	FNB	0.60	180.00
3/13/05	MEET WITH FNB REGARDING MOTION TO COMPEL AS BEING UNNECESSARY DUE TO OPPOSING COUNSEL'S WILLINGNESS TO PROVIDE ADDITIONAL DOCUMENTS	JS	0.20	32.00
3/14/05	DISCUSS SCHEDULING OF DEPOSITIONS WITH J. GREED, CONFERENCE WITH CLIENT REGARDING ANY PERSONS WHO MAY KNOW ANYTHING RELATED TO CLAIMS AGAINST BOTTOM LINE, INC.	FNB	0.60	180.00
3/14/05	CONFERENCE WITH FNB REGARDING SCHEDULING DEPOSITIONS OF ALL PERSONS WITH POTENTIAL KNOWLEDGE OF ANYTHING RELATED TO CLAIMS ASSERTED AGAINST BOTTOM LINE, INC.	JBG	0.20	47.00
3/15/05	PREPARE DEPOSITION SUBPOENAS AND NOTICES FOR DEPOSITIONS OF A. BECK, F. ROBINSON, D. SHALE, P. QUEST, N. MILLER AND L. PRYOR	JBG	0.80	188.00
3/16/05	REVIEW DEPOSITION NOTICE RECEIVED FROM OPPOSING COUNSEL FOR DEPOSITION OF CLIENT	FNB	0.10	30.00
3/26/05	REVIEW FILE AND DOCUMENTS PRODUCED BY OPPOSING COUNSEL IN PREPARATION FOR DEPOSITIONS OF A. BECK, F. ROBINSON, D. SHALE, P. QUEST, N. MILLER AND L. PRYOR	JBG	7.80	1833.00
3/27/05	CONTINUE TO PREPARE FOR DEPOSITIONS OF A. BECK, F. ROBINSON, D. SHALE, P. QUEST, N. MILLER AND L. PRYOR	JBG	6.10	1433.50
3/28/05	CONDUCT DEPOSITION OF A. BECK, F. ROBINSON, D. SHALE, P. QUEST, N. MILLER AND L. PRYOR	JBG	8.20	1927.00
4/3/05	MEET WITH CLIENT IN PREPARATION FOR HER DEPOSITION, REVIEW DOCUMENTS PRODUCED BY AND TO OPPOSING COUNSEL	FNB	6.50	1950.00
4/4/05	DEFEND DEPOSITION OF CLIENT	FNB	3.20	960.00

EXHIBIT 1

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DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
4/6/05	TELEPHONE CONFERENCES WITH COUNSEL FOR BOTTOM LINE, INC. REGARDING SCHEDULING MEDIATION, DISCUSS SAME WITH CLIENT	FNB	0.60	180.00
4/7/05	TELEPHONE CONFERENCE WITH CLIENT	FNB	0.20	60.00
4/10/05	REVIEW WORK DONE ON FILE TO DATE, CONSIDER ADDITIONAL ITEMS TO BE DONE BEFORE MEDIATION/TRIAL	FNB	0.80	240.00
4/11/05	REVIEW ADDITIONAL DOCUMENTS RECEIVED IN RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS	JS	1.10	176.00
4/12/05	REVIEW DEPOSITION TRANSCRIPTS, DISCUSS UPCOMING MEDIATION WITH S. MUCH	FNB	2.20	660.00
4/12/05	DISCUSS UPCOMING MEDIATION AND STRATEGY WITH F. BILLHER	STM	0.80	240.00
4/13/05	CONFERENCE WITH J. SIMMS REGARDING PREPARATION OF MEDIATION STATEMENT	FNB	0.50	150.00
4/13/05	CONFERENCE WITH F. BILLHER REGARDING PREPARATION OF MEDIATION STATEMENT	JLS	0.50	80.00
4/15/05	BEGIN PREPARING MEDIATION STATEMENT, CONFERENCE WITH B. ABLE REGARDING INITIAL RESEARCH WITH RESPECT TO POTENTIAL CLAIMS, DISCUSS NON-CONTRACT CLAIMS WITH F. BILLHER AND W. WORKFILE	JLS	6.80	1088.00
4/15/05	CONFERENCE WITH J. SIMMS REGARDING CLAIMS ASSERTED AGAINST BOTTOM LINE, INC.	BA	0.80	88.00
4/15/05	CONFERENCE WITH J. SIMMS AND W. WORKFILE REGARDING NON-CONTRACT CLAIMS ASSERTED AGAINST BOTTOM LINE, INC., DISCUSS SAME WITH CLIENT	FNB	1.00	300.00
4/15/05	CONFERENCE WITH F. BILLHER AND J. SIMMS REGARDING NON-CONTRACT CLAIMS ASSERTED AGAINST BOTTOM LINE, INC.	WBW	0.80	240.00
4/24/05	REVIEW AUTHORITIES REGARDING FRAUD, NEGLIGENCE, MISREPRESENTATION, INTENTIONAL INTERFERENCE AND DEFAMATION CLAIMS	BNB	6.80	1632.00
4/26/05	CONTINUE REVIEW OF AUTHORITIES REGARDING FRAUD, NEGLIGENCE, MISREPRESENTATION, INTENTIONAL INTERFERENCE AND DEFAMATION CLAIMS, DRAFT MEMO TO F. BILLHER AND J. SIMMS REGARDING SAME	BNB	5.40	1296.00
4/27/05	REVIEW MEMO DRAFTED BY B. BLOCKS, DISCUSS SAME WITH J. SIMMS	FNB	1.10	330.00
4/27/05	REVIEW MEMO DRAFTED BY B. BLOCKS, DISCUSS SAME WITH F. BILLHER, FINISH DRAFTING MEDIATION STATEMENT	JLS	6.20	992.00
4/28/05	REVIEW, REVISE AND FINALIZE MEDIATION STATEMENT	FNB	1.20	360.00
5/1/05	ATTEND MEDIATION	FNB	4.80	1440.00
5/1/05	ATTEND MEDIATION	JLS	4.80	768.00

EXHIBIT 1

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DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
5/9/05	MEET WITH W. WORKFILE AND S. MUCH REGARDING PREPARATION FOR TRIAL, BEGIN PREPARING FOR TRIAL, INCLUDING OPENING, CLOSING, DIRECT, CROSS, ISSUE SUBPEONAS FOR WITNESSES	FNB	8.80	2640.00
5/9/05	MEET WITH F. BILLHER AND S. MUCH RE TRIAL PREPARATION STRATEGY	WBW	0.60	180.00
5/9/05	MEET WITH F. BILLHER AND W. WORKFILE REGARDING TRIAL PREPARATION STRATEGY	STM	0.60	180.00
5/10/05	CONTINUE PREPARATION FOR TRIAL, NOTIFY OPPOSING COUNSEL OF DISMISSAL OF NON-CONTRACT CLAIMS [FNB	8.00	2400.00
5/11/05	CONTINUE PREPARING FOR TRIAL, DISCUSS SAME WITH C. BURKE	FNB	7.60	2280.00
5/11/05	MEET WITH F. BILLHER REGARDING ASSISTING AT TRIAL, REVIEW FILE AND DOCUMENTS IN ORDER TO ASSIST	CB	9.00	1800.00
5/12/05	ATTEND AND SERVE AS LEAD COUNSEL AT TRIAL	FNB	7.00	2100.00
5/12/05	ATTEND AND SERVE AS SECOND CHAIR AT TRIAL	CB	7.00	1400.00
		Total Fees		\$58,113.00
	COSTS ADVANCED AND INCURRED			
DATE	DESCRIPTION			AMOUNT
12/1/04	WEST GROUP PAYMENT CENTER COMPUTER RESEARCH WESTLAW COMPUTER RESEARCH			44.36
12/15/04	WEST GROUP PAYMENT CENTER COMPUTER RESEARCH JANUARY WESTLAW COMPUTER RESEARCH			105.74
12/15/04	STATE OF OREGON FILING FEE			234.00
1/16/05	WEST GROUP PAYMENT CENTER COMPUTER RESEARCH			80.85
3/31/05	POSTAGE			1.35
4/28/05	POSTAGE			0.83
5/9/05	WEST GROUP PAYMENT CENTER WESTLAW COMPUTER RESEARCH MARCH 05			71.06
5/16/05	TRANSERV SYSTEMS, INC. DELIVERY SERVICE CLIENT COSTS FROM 3/19 TO 3/28			5.00
3/1/05	BEOVICH WALTER & FRIEND INC. COURT REPORTER			2060.66

EXHIBIT

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DATE	LEGAL SERVICES RENDERED	ATTY	HOURS	AMOUNT
5/22/05	WEST GROUP PAYMENT CENTER WESTLAW COMPUTER RESEARCH APRIL 05			5.68
		Total Costs		\$2609.53
		Total Fees and Costs		\$58139.95

EXHIBIT 1
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