

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRAD RAFFENSPERGER, ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

**DECLARATION OF HALSEY G. KNAPP, JR. IN SUPPORT OF
PLAINTIFFS' JOINT MOTION FOR SANCTIONS**

HALSEY G. KNAPP, JR., pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

1. My name is Halsey G. Knapp, Jr. I am over twenty-one (21) years of age. I am not suffering from any civil disabilities, and I am capable of making the within declaration.

2. This declaration is given based on my personal knowledge of the facts set forth herein and is given in connection with my firm's representation of Plaintiffs Donna Curling, Donna Price and Jeffrey Schoenberg (collectively, the "Curling Plaintiffs") in the above-styled action, and specifically in connection with the parties' litigation of the production of the GEMS databases, as described in the contemporaneously filed Motion for Sanctions (the "GEMS Dispute").

3. I am a member of the law firm of Krevolin & Horst, LLC (“K&H”). I have served as local counsel on behalf of the Curling Plaintiffs in the above-styled litigation before the Honorable Amy Totenberg since March 30, 2018.

4. I am the member of the firm responsible for our firm’s relationship with the Curling Plaintiffs; I am the member of the firm who generated the Statement of Account reflecting the services rendered to this client by our firm in the above-styled litigation; and I, along with our firm’s controller, am the custodian of all time records relating to the clients I originated, including the Curling Plaintiffs.

5. I am a graduate of the Emory University School of Law. I was admitted to the practice of law in the State of Georgia in the fall of 1980 and have devoted my law practice almost exclusively to litigation and the trial of complex matters. I have been associated with various law firms during that period. I often speak and write on litigation issues. I have represented clients in numerous state and federal courts located in Georgia continuously since my admission to practice.

6. The following is a partial list of my professional membership and associations: Federal Bar Association, Atlanta Chapter, Board of Directors, (2012 to date), Special Committee on Role of Magistrate Judges in the N.D. of Ga. (2010); Special Committee on the Local Rules in the N.D. of Ga. (2012 to 2015); President of the 11th Circuit Historical Society; Lamar Inn of Court, Master (1992 to date)

Executive Committee (2000-2018) President (2001-2004); Fulton County Business Court Committee Board (2011 to date); Atlanta Bar Association Alternate Dispute Resolution, President (2015-2016), Board of Directors (2012 to date) Program Co-Director (2013-2014); State Bar of Georgia Discipline Review Board (2017 to date), Vice Chair (2019); Atlanta Bar Association, Litigation Section, Former Member of Board of Directors; Atlanta Bar Association, Estate Planning & Probate Section; American Bar Association, Real Property, Trust & Estate Law Committee; Atlanta Bar Association, Judicial Nomination Committee (2018 to date), Co-Chair (2019); Top 100 Georgia Super Lawyer (2009-2018); Georgia Super Lawyer (2004-2019).

7. I have testified on the subject of the reasonableness of my own firm's fees in several trials and arbitrations, the most notable of which were *Hamburg v. Southern Company*, 233 Ga. App. 135, 503 S.E. 2d 383 (1998), a case that produced a Georgia appellate decision on the subject of proof of attorneys' fees and again before Judge Rowland Barnes in *AMDG v. Holcim* in the Superior Court of Fulton County, Civil Action no. 2002-CV-54842, where I testified about the unreasonableness of the legal fees of Holcim's counsel and to the reasonableness of our firm's fees in that matter.

8. I am qualified and competent to testify as to the actual legal fees and expenses recorded in connection with K&H's representation of Curling Plaintiffs in

this litigation and the reasonableness of these fees and expenses recorded by K&H in this matter.

9. I have personal knowledge and familiarity with the legal work performed by K&H, and specifically my work in connection with the Curling Plaintiffs' representation in this case. All work was done under my direct supervision.

10. Adam M. Sparks is a graduate of the Honors College at the University of Georgia and the Teachers College of Columbia University. Adam matriculated at the Columbia University School of Law, graduating as a Harlan Fiske Stone Scholar. For nearly four years after graduating law school, Adam practiced complex business litigation at a large international law firm's Washington, D.C. office. Adam then clerked for the Honorable Leigh Martin May, John K. Larkins, III, and Gerrilyn G. Brill at the United States District Court for the Northern District of Georgia. Adam joined K&H in 2016 to practice complex business litigation and election law, among other areas.

11. The billing history statement attached hereto as Exhibit 1 accurately reflects the time spent and fees incurred by K&H while representing the Curling Plaintiffs in connection with the GEMS Dispute. The billing statement accurately reflects the services provided, the time billed, and the rates charged. All time and

expenses are recorded contemporaneously in the month they were incurred. The billing history correctly reflects the nature and amount of the work done on behalf of the Curling Plaintiffs.

12. The total fees incurred by K&H on behalf of the Curling Plaintiffs in connection with the GEMS Dispute from June 1, 2019 through July 31, 2019 are \$1,460.00.

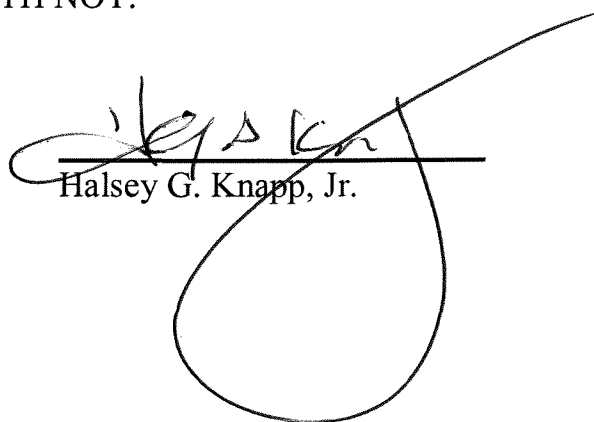
13. The fees set forth in Exhibit 1 are reasonable in light of the rates that Atlanta law firms and lawyers charge for the time of attorneys with comparable background and experience. Our firm's hourly rates range from \$250 - \$625 per hour. The hourly rates we charged for the attorneys handling this case in connection with the GEMS Dispute are: \$500.00 per hour for me and \$350.000 for Mr. Sparks.

14. Given my knowledge and experience of legal fees in the Atlanta market, the rates charged in the above-styled litigation are reasonable (and perhaps low) for the experience level and sophistication of the attorneys who participated in K&H's involvement in the GEMS Dispute.

15. Given my knowledge and experience of legal fees in the Atlanta market, the total charges to the Curling Plaintiffs for the legal services rendered by K&H are reasonable and necessary to addressing the GEMS Dispute.

FURTHER DECLARANT SAYETH NOT.

This 4th day of October 2019.



Halsey G. Knapp, Jr.

EXHIBIT 1

Statement of Account

003926 Morrison & Foerster LLP
 000001 Curling, et al v. Kemp, et al

06/01/2019 - 07/31/2019
 Time & Rate: Original Value

c/o David D. Cross, Esq.
 2000 Pennsylvania Avenue, NW
 Suite 6000

Fees

Date	ID	Description	Time	Hrly Rate	Orig Amount	Bill Amount
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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06/01/2019 - 07/31/2019
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Fees

Date	ID	Description	Time	Hrly Rate	Orig Amount	Bill Amount
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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6/28/2019	AMS	[REDACTED] attend teleconference hearing re: expert discovery and cybersecurity; discuss same with H. Knapp. (2.6)	[REDACTED]	\$350	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7/1/2019	AMS	Review brief concerning GEMS discovery; draft email concerning same. (0.2)	[REDACTED]	\$350	[REDACTED]	\$70.00
7/2/2019	AMS	[REDACTED] analyze order re: GEMS database production and scrutiny. (0.1)	[REDACTED]	\$350	[REDACTED]	\$35.00
7/3/2019	AMS	[REDACTED] analyze GEMS-related filings; [REDACTED] (0.3)	[REDACTED]	\$350	[REDACTED]	\$105.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7/9/2019	HGK	Review and analyze emails on battle for access to GEMS serve database and data.	0.20	\$500	[REDACTED]	\$100.00
7/9/2019	AMS	[REDACTED] read discovery orders. (0.4)	[REDACTED]	\$350	[REDACTED]	\$140.00
7/10/2019	HGK	Analyze Judge Totenberg's order on GEMS server and data. (0.5)	0.50	\$500	[REDACTED]	\$100.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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06/01/2019 - 07/31/2019
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Costs and Expenses

Date	Description	Orig Expense	Orig Cost	Bill Amount
[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
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[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
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