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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO**

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16 OPEN SOURCE SECURITY, INC., and
BRADLEY SPENGLER,

17 Plaintiffs,

18 v.

19 BRUCE PERENS, and Does 1-50,

20 Defendants.
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22

Case No. 3:17-cv-04002-LB

**DECLARATION OF MELODY
DRUMMOND HANSEN IN SUPPORT
OF DEFENDANT BRUCE PERENS'S
MOTION FOR ATTORNEYS FEES;
PROVIDED IN ACCORDANCE WITH
COURT'S ORDER REGARDING
CHART (ECF NO. 89)**

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25 **REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED.**
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DECLARATION OF MELODY DRUMMOND HANSEN

I, Melody Drummond Hansen, declare as follows:

1. I am a partner of O'Melveny & Myers LLP ("O'Melveny"), attorneys of record for Defendant Bruce Perens in this action. I am admitted to practice in the Northern District of California. I submit this Declaration in connection with the Court's May 21, 2018 Order Regarding Chart (ECF No. 89, "Order"). I have personal knowledge and am informed of the facts stated herein and, if called to testify, I could and would testify to the truth of the following.

2. The Court ordered Mr. Perens to provide a chart previously submitted (as Exhibit D to Mr. Perens's Fee Motion Reply (ECF No. 84-5)) with additional information regarding the biller, hourly rate, and hours expended on each task, as well as another exhibit with billing records (submitted as Corrected Exhibit C to Mr. Perens's Fee Motion Reply (ECF No. 84-4)) in chronological order by biller, as well as to provide native files for each. Order, ECF No. 89 at 2. Each is provided below.

3. Pursuant to the Court's Order, Defendant Bruce Perens submits the chart below with counsel's lodestar fees by hour and task, with the requested additional information for each category: the biller, the hourly rate, and the total hours expended on that task.

Task and Billers	Hours	Hours Per Task by Biller	Hourly Billing Rates for Task	Fees by Task	Subtotal of Fees Per Biller Per Task
First Anti-SLAPP Motion	137.9	137.9		\$81,466.50	\$81,466.50
Cara Gagliano		██████████	██████████		██████████
Diana Diaz		██████████	██████████		██████████
Heather Meeker		██████████	██████████		██████████
Melody Drummond Hansen		██████████	██████████		██████████

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Task and Billers	Hours	Hours Per Task by Biller	Hourly Billing Rates for Task	Fees by Task	Subtotal of Fees Per Biller Per Task
Second Anti-SLAPP Motion	77.6	77.6		\$43,669.50	\$43,669.50
Cara Gagliano		████████	████████		████████
Diana Diaz		████████	████████		████████
Eric Ormsby		████████	████████		████████
Jillisia Santillana		████████	████████		████████
Melody Drummond Hansen		████████	████████		████████
Second Anti-SLAPP Reply	108	108		\$60,483.00	\$60,483.00
Cara Gagliano		████████	████████		████████
Diana Diaz		████████	████████		████████
Eric Ormsby		████████	████████		████████
Melody Drummond Hansen		████████	████████		████████
Marissa Rhoades		████████	████████		████████
Response to Plaintiffs' Supplemental Brief in Opposition to Anti-SLAPP Motion	18.3	18.3		\$10,213.50	\$10,213.50
Cara Gagliano		████████	████████		████████

Task and Billers	Hours	Hours Per Task by Biller	Hourly Billing Rates for Task	Fees by Task	Subtotal of Fees Per Biller Per Task
Diana Diaz					
Eric Ormsby					
Melody Drummond Hansen					
Marissa Rhoades					
Opposition to Motion for Partial Summary Judgment	87.3	87.5 (seeking 87.3)¹		\$49,430.00	\$49,813.00 (seeking \$49,430.00)¹
Cara Gagliano					
Diana Diaz					
Eric Ormsby					
Heather Meeker					
Melody Drummond Hansen					
Surreply to Motion for Partial Summary Judgment	28.8	28.8		\$17,297.00	\$17,297.00
Cara Gagliano					
Diana Diaz					

¹ The billing records for these billers supports slightly higher fees than was requested in Exhibit D to the Fee Motion Reply (ECF No. 84-5). Mr. Perens maintains his previous requests and counsel writes off any additional fees to which Mr. Perens would otherwise be entitled for this task.

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Task and Billers	Hours	Hours Per Task by Biller	Hourly Billing Rates for Task	Fees by Task	Subtotal of Fees Per Biller Per Task
Eric Ormsby		██████	██████		██████
Melody Drummond Hansen		██████	██████		██████
Marissa Rhoades		██████	██████		██████
Combined Hearing on Anti-SLAPP Motion, Motion to Dismiss, and Motion for Partial Summary Judgment	104.6	104.6		\$60,731.50	\$60,731.50
Cara Gagliano		██████	██████		██████
Diana Diaz		██████	██████		██████
Eric Ormsby		██████	██████		██████
Melody Drummond Hansen		██████	██████		██████
Marissa Rhoades		██████	██████		██████
Case Management	88.58²	89.2²		\$51,418.00	\$51,418.00
Cara Gagliano		██████	██████		██████
Diana Diaz		██████	██████		██████
Eric Ormsby		██████	██████		██████

² The subtotal of hours worked for this task was entered incorrectly in Exhibit D to the Fee Motion Reply (ECF No. 84-5). This typographic error did not affect the fee total, which was accurately calculated, and Mr. Perens maintains the request for the fees for this task as reflected in Exhibit D.

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Task and Billers	Hours	Hours Per Task by Biller	Hourly Billing Rates for Task	Fees by Task	Subtotal of Fees Per Biller Per Task
Melody Drummond Hansen		[REDACTED]	[REDACTED]		[REDACTED]
Marissa Rhoades		[REDACTED]	[REDACTED]		[REDACTED]
Settlement	10.8	10.8		\$7,159.00	\$7,159.00
Cara Gagliano		[REDACTED]	[REDACTED]		[REDACTED]
Diana Diaz		[REDACTED]	[REDACTED]		[REDACTED]
Heather Meeker		[REDACTED]	[REDACTED]		[REDACTED]
Melody Drummond Hansen		[REDACTED]	[REDACTED]		[REDACTED]
Marissa Rhoades		[REDACTED]	[REDACTED]		[REDACTED]
Motion for Attorneys' Fees Under Anti-SLAPP Law	123	123		\$71,303.00	\$71,303.00
Cara Gagliano		[REDACTED]	[REDACTED]		[REDACTED]
Diana Diaz		[REDACTED]	[REDACTED]		[REDACTED]
Eric Ormsby		[REDACTED]	[REDACTED]		[REDACTED]
Heather Meeker		[REDACTED]	[REDACTED]		[REDACTED]
Melody Drummond Hansen		[REDACTED]	[REDACTED]		[REDACTED]

Task and Billers	Hours	Hours Per Task by Biller	Hourly Billing Rates for Task	Fees by Task	Subtotal of Fees Per Biller Per Task
Marissa Rhoades		████████	████████		████████
Reply to Plaintiffs' Opposition to Motion for Attorneys' Fees	119	119		\$73,722.50	\$73,722.50
Cara Gagliano		████████	████████		████████
Diana Diaz		████████	████████		████████
Eric Ormsby		████████	████████		████████
Melody Drummond Hansen		████████	████████		████████
Marissa Rhoades		████████	████████		████████
Total Fees Sought	903.88			\$526,893.50	

4. Attached as Exhibit 1 to this Declaration is a document reflecting the billing records previously submitted as Corrected Exhibit C to Mr. Perens's Fee Motion Reply, in chronological order broken out by biller, as requested by the Court. Exhibit 1 is copied from Corrected Exhibit C (ECF No. 84-4), sorting the data in the way requested by the Court, adjusting the formatting of the exhibit to submit it in a Word format, clarifying that the write downs and write offs reflected were made between the original motion and the reply, and stating that no further revisions were made.

5. Per the Court's Order, Mr. Perens also will separately provide a native Word copy of the chart contained herein and a native Excel copy of the data from Corrected Exhibit C (sortable by biller and date) to the Court via email.

6. For the Court's reference, Mr. Perens notes that Corrected Exhibit C was submitted with Mr. Perens's Fee Motion Reply to address a sorting error that occurred when

1 preparing the exhibit for Mr. Perens’s original Fee Motion (ECF No. 63-4, “Original Exhibit C”).

2 7. In order to stay true to the Original Exhibit C while correcting the sorting error,
3 Corrected Exhibit C did not include additional billing entries for work performed in preparing the
4 Fee Motion (ECF No. 62) and Fee Motion Reply (ECF No. 84), which became available after
5 filing of Mr. Perens’s original Fee Motion. For the same reason, Mr. Perens did not change any
6 hours entries for entries that were written off or written down between the filing of the Fee
7 Motion and the Fee Motion Reply. Instead, such entries were highlighted to indicate that
8 additional write-downs or write-offs occurred, and the amounts for such additional write-downs
9 and write-offs were reflected in Exhibit D to the Fee Motion Reply (ECF No. 84-5), which was
10 intended to capture the calculation of hours and fees requested. Therefore, Corrected Exhibit C
11 and Exhibit 1 (attached) support higher fees awards for the categories of work performed before
12 the filing of the first Fee Motion, while it does not capture all work performed for the Fee Motion
13 and the Fee Motion Reply.

14 8. Should the Court require additional billing records, Mr. Perens will of course
15 provide such records as requested.

16
17 I declare under penalty of perjury under the laws of the United States that the foregoing is
18 true and correct, and that this declaration was executed this 29th day of May 2018 in San
19 Francisco, California.

20 By: /s/ Melody Drummond Hansen
21 Melody Drummond Hansen
22 Of O’Melveny & Myers LLP
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