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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas for the Fifth Judicial Circuit

The Honorable William W. Wheeler, III, Circuit Court Judge

Appellate Case No.: 2026-001127
Trial Court Case No.: 2020-CP-40-03915

ATC Site Construction, LLC,

Respondent,

v.

NKD, Inc.,

Appellant.

RECORD ON APPEAL

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Exhibit A

Itemization of Fees and Expenses Incurred by NKD in Defending the Mechanic's Lien

**SUMMARY OF FEES AND EXPENSES INCURRED BY NKD
SUCCESSFULLY DEFENDING MECHANICS' LIEN**

TIMEKEEPER	INITIALS	LEVEL	HOURS	RATE	TOTAL
Ellis R. Lesemann	ERL	Attorney	267.7	\$350.00	\$93,695.00
Benjamin H. Joyce	BHJ	Attorney	167.2	\$295.00	\$49,324.00
Michelle A. Stewart	MAS	Attorney	130.3	\$250.00	\$32,575.00
Nina M. Thomas	NMT	Paralegal	365.7	\$125.00	\$45,712.50
Ann G. Cunniffe	AGC	Paralegal	25.2	\$125.00	\$3,150.00
			956.1		\$224,456.50

FEES TO DEFEND MECHANICS' LIEN	\$224,456.50
EXPENSES TO DEFEND MECHANICS' LIEN	\$93,085.31
TOTAL FEES AND EXPENSES	\$317,541.81

**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	5/6/2020	0.4	Confer with Mr. Leventis and Mr. Haslinger regarding status and next steps	\$350.00	\$140.00
ERL	5/6/2020	0.3	Address inquiries from third-party engineer relating to road situation, soil/cement specifications, and involvement of County	\$350.00	\$105.00
NMT	5/6/2020	2.8	Review of all documents for third party testing and reports regarding soil cement design, approval and requirements of county for soil cement design for independent expert review	\$125.00	\$350.00
ERL	5/18/2020	0.4	Conference with Geotechnical Engineer	\$350.00	\$140.00
NMT	5/28/2020	0.8	Review of documents to determine Richland County Inspector for project; multiple telephone calls to Richland County regarding FOIA request policies	\$125.00	\$100.00
NMT	6/8/2020	1.1	Review NKD file and draft Freedom of Information Act request to Richland County	\$125.00	\$137.50
ERL	6/19/2020	0.4	Prepare, revise and submit FOIA request to Richland County relating to River Shoals	\$350.00	\$140.00
NMT	6/19/2020	0.3	Finalize and send FOIA request to Richland County	\$125.00	\$37.50
ERL	6/22/2020	0.4	Provide update to client regarding status and responding to inquiries	\$350.00	\$140.00
NMT	6/24/2020	0.1	Communications with Richland County regarding Freedom of Information Act Request	\$125.00	\$12.50
NMT	7/16/2020	0.6	Communications with Richland County Regarding Freedom of Information Act Requests	\$125.00	\$75.00
NMT	7/20/2020	6.5	Create slides for mediation presentation, identify documents and upload the same for mediation presentation; prepare file for mediation	\$125.00	\$812.50
ERL	7/22/2020	0.4	Follow up tasks and conferences relating to potential settlement	\$350.00	\$140.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	7/31/2020	0.8	Confer with Mr. Leventis; prepare list of items to be accomplished; review status report from CEC; conduct conference call with Mr. Leventis and Mr. Haslinger	\$350.00	\$280.00
ERL	8/3/2020	0.5	Confer with representative of S&ME regarding pavement investigation	\$350.00	\$175.00
ERL	8/5/2020	0.3	Review of communications, status reports, and proposals for scope of repair	\$350.00	\$105.00
ERL	8/20/2020	0.6	Confer with Mr. Leventis; prepare allegations for Complaint	\$350.00	\$210.00
NMT	8/21/2020	1.0	Receive and review pleadings from Court; review of Ackerman report and draft subpoena regarding the same	\$125.00	\$125.00
ERL	8/24/2020	0.3	Tasks and conferences relating to subpoena to Ackerman Engineers	\$350.00	\$105.00
NMT	8/24/2020	0.5	Revise subpoena to Ackerman Consulting; draft correspondence to Ackerman Consulting regarding the same; serve the same on Ackerman and Russell Jeter	\$125.00	\$62.50
ERL	8/25/2020	0.5	Conferences with Mr. Leventis and Mr. Haslinger regarding status, substitute contractors, remaining scope of work, and resolving mechanics' lien	\$350.00	\$175.00
NMT	8/26/2020	0.8	Draft Acceptance of Service; draft correspondence regarding the same to Robert Hull; email regarding the same to Russell Jeter and Robert Hull	\$125.00	\$100.00
MAS	9/3/2020	0.9	Assist in completion of Application for Court Bond; assemble relevant information relating to claims and review pleadings	\$250.00	\$225.00
ERL	9/22/2020	0.9	Review of initial findings of consulting engineer; confer with Mr. Bruorton and Mr. Leventis	\$350.00	\$315.00
NMT	10/1/2020	3.1	Draft and revise Answer and Counterclaim	\$125.00	\$387.50
NMT	10/2/2020	0.6	Identify and prepare exhibits for Answer	\$125.00	\$75.00
NMT	10/2/2020	0.4	File Notice of Appearance, Answer and Counterclaim with exhibits with Court	\$125.00	\$50.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	10/7/2020	1.2	Conduct call with clients to review status and strategy	\$350.00	\$420.00
ERL	10/7/2020	0	Call with project team at S&ME to discuss status of analysis and next steps for project support and litigation support	\$350.00	\$0.00
NMT	10/7/2020	0.2	Email correspondence to Nick Leventis regarding all pleadings that have been filed to date	\$125.00	\$25.00
ERL	10/28/2020	1.1	Prepare for conference call; conference call with client	\$350.00	\$385.00
ERL	10/28/2020	0.7	Review of agreement with describing scope of additional testing; confer with Mr. Leventis regarding same	\$350.00	\$245.00
ERL	10/30/2020	0.5	Tasks and conferences relating to scope of work needed to resolve issues and move forward with development	\$350.00	\$175.00
ERL	11/2/2020	0.4	Confer with Mr. Haslinger regarding next steps, status of discussions with County, and working towards a completed scope of repair	\$350.00	\$140.00
ERL	11/30/2020	0.3	Confer with insurance counsel for ATC	\$350.00	\$105.00
MAS	12/16/2020	0.9	Edit and revise Defendant's First Set of Interrogatories to Plaintiff and First Request for Production	\$250.00	\$225.00
NMT	12/18/2020	1.5	Draft Responses to Discovery Requests	\$125.00	\$187.50
ERL	12/21/2020	2.2	Prepare letter to contractor; confer with Mr. Leventis	\$350.00	\$770.00
MAS	12/22/2020	3.1	Prepare letter to ATC Site Construction relating to Pavement Evaluation Remedial Recommendations Report prepared by S&ME, Inc.; review conclusions and remedial recommendations provided in the reports and review relevant provisions of the Contract Documents	\$250.00	\$775.00
NMT	1/13/2021	0.2	Email with Lori Keener regarding site inspection	\$125.00	\$25.00
ERL	1/19/2021	0.9	Call with Mr. Leventis to review status, strategy, and next steps	\$350.00	\$315.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/28/2021	1.2	Draft Answers to Interrogatories	\$125.00	\$150.00
ERL	2/4/2021	2.1	Meeting with Mr. Leventis and Mr. Haslinger regarding status, strategy, and next steps	\$350.00	\$735.00
ERL	2/11/2021	0.4	Confer with Mr. Haslinger regarding bid for road repairs and next steps	\$350.00	\$140.00
ERL	2/12/2021	0.5	Review and approval of proposed utility easement; communicate with client regarding same	\$350.00	\$175.00
NMT	2/15/2021	2.0	Code documents for production	\$125.00	\$250.00
NMT	2/26/2021	2.0	Compile Inspection Reports and create a Dropbox containing the same for key players in preparation of site inspection; review contract and draft correspondence regarding noncompliance; create dropbox for opposing counsel containing reports; emails with Nick Leventis regarding choice of contractor for remediation	\$125.00	\$250.00
ERL	3/2/2021	3.2	Conduct site visit	\$350.00	\$1,120.00
ERL	3/4/2021	0.5	Tasks and conferences relating to approvals of contractor and bid amount to conduct the needed repair work on the roads	\$350.00	\$175.00
NMT	3/4/2021	1.5	Review documents for production; begin correspondence for architect approval	\$125.00	\$187.50
NMT	3/9/2021	2.0	Review documents and prepare for Production	\$125.00	\$250.00
ERL	3/15/2021	0.7	Conference with Mr. Leventis regarding status and strategy	\$350.00	\$245.00
NMT	3/15/2021	3.5	Prepare document production; draft discovery responses; emails to expert witnesses for information needed to complete discovery	\$125.00	\$437.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	3/16/2021	7.0	Draft Answers to Interrogatories; download documents from Drone; finalize production and Bates, communications with experts regarding CV and past trial experience; create index of 51000 documents for production	\$125.00	\$875.00
NMT	3/17/2021	3.0	Finalize Discovery Responses and Production	\$125.00	\$375.00
ERL	3/18/2021	2.5	Prepare and revise NKD's Answers to Interrogatories; transmit to opposing counsel	\$350.00	\$875.00
NMT	3/18/2021	0.3	Revise Answers to Interrogatories	\$125.00	\$37.50
NMT	3/22/2021	1.8	Prepare additional documents for Defendant's First Supplemental Production; draft index of the same; serve additional production to opposing counsel	\$125.00	\$225.00
NMT	3/23/2021	0.5	Revise Responses to Requests for Production	\$125.00	\$62.50
NMT	3/24/2021	1.0	Review of all documents to determine notice to ATC regarding deficiencies	\$125.00	\$125.00
BHJ	5/13/2021	1.5	Draft/revise and finalize drafts of discovery requests for service on ATC	\$295.00	\$442.50
BHJ	5/13/2021	2.9	Drafting of Amended Answer and Counterclaims on behalf of NKD; review/analyze inspection reports to utilize and incorporate as allegations in same	\$295.00	\$855.50
NMT	5/13/2021	0.5	Draft correspondence to opposing counsels regarding discovery and serve the same (x3)	\$125.00	\$62.50
BHJ	5/14/2021	0.1	Correspond via email with clients regarding discovery served on ATC	\$295.00	\$29.50
BHJ	5/14/2021	0.5	Finalize draft of Amended Answer and Counterclaims on behalf of NKD to be filed with Court	\$295.00	\$147.50
ERL	6/8/2021	0.3	Tasks and conferences relating to Amended Complaint, discovery requests, expert witnesses, and motion to reduce bond amount	\$350.00	\$105.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	6/8/2021	0.3	Conference regarding mechanics lien, discovery items	\$295.00	\$88.50
BHJ	6/8/2021	0.3	Conduct public index searches for other lawsuits involving ATC in South Carolina; review/analyze collection lawsuit against ATC	\$295.00	\$88.50
NMT	6/8/2021	0.2	Review status of discovery to determine next steps	\$125.00	\$25.00
BHJ	6/9/2021	0.4	Telephone calls with Richland County Clerk of Court regarding NKD/ATC mechanics lien filing	\$295.00	\$118.00
BHJ	6/9/2021	3.5	Review/analyze timing of filing of mechanics lien by ATC; research South Carolina common law and statutory law regarding validity and enforcement of mechanics lien; review client documents regarding final date ranges for labor, services, and materials provided by ATC	\$295.00	\$1,032.50
NMT	6/9/2021	0.5	Research with Richland County Register of Deeds for mechanic's liens	\$125.00	\$62.50
BHJ	6/10/2021	1.5	Conference call with clients Nick Leventis and Karl Haslinger regarding litigation status, expert report of ATC, mechanics lien issue, etc.	\$295.00	\$442.50
NMT	7/8/2021	0.2	Communications with Myra Rutland regarding discovery responses	\$125.00	\$25.00
ERL	7/14/2021	0.4	Tasks and conferences relating to potential dissolution of mechanic's lien	\$350.00	\$140.00
BHJ	7/14/2021	0.1	Conference regarding mechanic's lien reduction/dissolution analysis and motion regarding same to be filed with court	\$295.00	\$29.50
BHJ	7/19/2021	0.3	Finalize draft of Motion to Compel discovery responses for filing with Court	\$295.00	\$88.50
BHJ	7/19/2021	0.1	Conference regarding filing of Motion for Dissolution / Reduction of Mechanics Lien	\$295.00	\$29.50
NMT	7/19/2021	1.1	Draft and file Motion to Compel	\$125.00	\$137.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	7/21/2021	1.0	Research of pertinent South Carolina case law in preparation of drafting Motion for Dissolution / Reduction of Mechanics Lien	\$295.00	\$295.00
BHJ	7/23/2021	0.5	Draft/finalize Motion to Dissolve Mechanic's lien and file same with Court; correspond via email with clients Karl Haslinger and Nick Leventis regarding same	\$295.00	\$147.50
AGC	7/23/2021	0.2	Filed motion to dissolve mechanic's lien via the SC Judicial Department's online portal	\$125.00	\$25.00
AGC	7/23/2021	0.2	Filed Amended motion to dissolve, or in the alternative reduce the mechanic's lien via the SC Judicial Department's online portal	\$125.00	\$25.00
ERL	7/26/2021	0.4	Tasks and conferences relating to discovery, efforts to dissolve lien, and correction of issues with the property	\$350.00	\$140.00
BHJ	7/26/2021	0.1	Conference regarding amendment to Answer filed with Court	\$295.00	\$29.50
BHJ	8/26/2021	1.0	Draft letter to counsel for ATC regarding notice of additional defects, sewer issues; correspond via email with clients Nick Leventis and Karl Haslinger regarding same	\$295.00	\$295.00
BHJ	8/26/2021	0.2	Conference regarding notice letter to counsel for ATC regarding additional defects discovered at site	\$295.00	\$59.00
ERL	8/27/2021	0.3	Address issues relating to additional issues and damages; finalize letter to opposing counsel	\$350.00	\$105.00
BHJ	8/30/2021	0.2	Telephone call with counsel for ATC regarding notice of additional defects; status of discovery responses from ATC	\$295.00	\$59.00
BHJ	8/30/2021	0.3	Draft letter for client Nick Leventis regarding notice of additional defects to send to ATC; correspond via email with client Nick Leventis regarding same	\$295.00	\$88.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	8/30/2021	0.5	Revise draft of Amended Answer and Counterclaims against ATC Site Construction to incorporate claims regarding additional defects found at site	\$295.00	\$147.50
BHJ	8/30/2021	0.5	Draft/finalize subpoena to liability expert for ATC, Mark Rhodes, and letter serving same	\$295.00	\$147.50
AGC	8/30/2021	0.5	Draft subpoena to Rimkus Consulting Group; amend Exhibit A of requested documents; draft cover letter to Rimkus Group serving subpoena	\$125.00	\$62.50
BHJ	8/31/2021	0.4	Telephone call with client Nick Leventis regarding additional defects found at site	\$295.00	\$118.00
BHJ	8/31/2021	0.3	Correspond via email with client Nick Leventis regarding photographs and video footage of additional defects related to sewer system at site	\$295.00	\$88.50
AGC	8/31/2021		Send subpoena to Rimkus Consulting Group via certified mail return receipt requested	\$125.00	\$0.00
AGC	8/31/2021		Send subpoena to registered agent for Rimkus Consulting Group via certified mail return receipt requested	\$125.00	\$0.00
BHJ	9/2/2021	0.5	Telephone call and email with clients Nick Leventis and Karl Haslinger regarding additional defect issue; revise draft of letter for Mr. Leventis to send to ATC regarding same	\$295.00	\$147.50
BHJ	9/2/2021	0.5	Telephone call and email with Susan Leitner, utility contractor for water/sewer issues	\$295.00	\$147.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	9/2/2021	2.5	Review and upload documents provided by Nick Leventis into Nextpoint to prepare for production; code documents as responsive while searching for privileged material; upload unsupported MPG files into Dropbox for production; Bates label documents in Nextpoint and prepare index of produced documents	\$125.00	\$312.50
AGC	9/2/2021	0.2	Email to opposing counsel attaching letter producing documents from Nick Leventis	\$125.00	\$25.00
AGC	9/8/2021	0.2	Receipt of attorney Boineau's email regarding deposition of Geosystems; return email regarding dates available for deposition of Geosystems	\$125.00	\$25.00
AGC	9/10/2021	0.2	Receipt of email from attorney Boineau regarding video for pipe runs in materials from Nick Leventis; email to Nick Leventis regarding same	\$125.00	\$25.00
BHJ	9/13/2021	0.3	Review/analyze letter from Rimkus (expert for ATC) regarding objections to subpoena; correspond via email with subpoena counsel regarding same	\$295.00	\$88.50
AGC	9/13/2021	0.5	Download documents sent by Rimkus in response to subpoena; import into Nextpoint for review, coding, and Bates labeling	\$125.00	\$62.50
BHJ	9/16/2021	0.4	Conference regarding Motion to Compel; remaining discovery; inspection	\$295.00	\$118.00
BHJ	9/24/2021	0.1	Correspond via email with opposing counsel for ATC regarding site inspection with ATC expert witness and Susan Leitner	\$295.00	\$29.50
AGC	9/28/2021	0.3	Receipt of email from Susan Leitner at LG Utility Contractors regarding pipe videos; email to Ms. Leitner requesting videos once they are done; email to Trippett Boineau regarding status of videos	\$125.00	\$37.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	9/28/2021	0.2	Email to Susan Leitner regarding October dates for site walk with ATC's expert, Mark Rhodes	\$125.00	\$25.00
BHJ	9/29/2021	0.1	Receipt and review of Notice of Deposition of Joe Smith and Certificate of Service as served by counsel for ATC via email	\$295.00	\$29.50
AGC	9/29/2021	0.3	Call from Susan Leitner regarding walkthrough; receipt of email from Susan Leitner regarding walkthrough; email to opposing counsel regarding Leitner's availability for October 13; email to opposing counsel confirming October 20 for deposition of Joe Smith of Geosystems	\$125.00	\$37.50
AGC	9/30/2021	0.3	Receipt of email from opposing counsel regarding start time of walkthrough on October 13; email to Susan Leitner regarding start time and meeting place; email to opposing counsel regarding meeting place for walkthrough	\$125.00	\$37.50
AGC	9/30/2021	0.3	Draft Supplemental responses to request for production that formally produce NKD 005498 - 005980 and Rinkus 0001 - 1388 documents with indices	\$125.00	\$37.50
AGC	10/1/2021	0.2	Draft letter to all attorneys enclosing NKD's supplemental discovery responses of documents received from Rinkus in response to subpoena; email same along with Supplemental discovery responses to all counsel	\$125.00	\$25.00
AGC	10/8/2021	0.2	Email to Susan Leitner inquiring about new photos; receipt of email from Leitner regarding need to review photos first	\$125.00	\$25.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	10/12/2021	0.2	Call Richland County Clerk of Court motions docketing clerk to inquire when motion to reduce or dismiss mechanic's lien and motion to compel will be scheduled; due to Covid motions will likely be set for January 2022; email to Ben Joyce regarding same	\$125.00	\$25.00
BHJ	10/13/2021	2.1	Attend site inspection at River Shoals in Columbia with Susan Leitner (LG Utility Contractors), Richard Young (Carolina Tap & Bore), and Mark Rhoads (Rimkus - ATC Expert Witness) to discuss and review repair work performed by LG Utility Contractors and Carolina Tap & Bore	\$295.00	\$619.50
BHJ	10/13/2021	0.3	Review/analyze notated plats, handwritten notes, and photographs regarding repair work provided by Susan Leitner (LG Utility Contractors) in advance of producing same as part of NKD's Supplemental Responses to ATC's Requests for Production	\$295.00	\$88.50
BHJ	10/13/2021	0.3	Finalize drafts of NKD's Supplemental Answers to ATC's Interrogatories identifying Susan Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore) as witnesses and NKD's Supplemental Responses to ATC's Requests for Production producing recent documentation from LG Utility Contractors and Letters serving same to opposing counsel for ATC	\$295.00	\$88.50
AGC	10/13/2021	0.2	Draft Supplemental Answers to Interrogatories naming Susan Leitner as a witness	\$125.00	\$25.00
AGC	10/13/2021	0.4	Upload photos, drawings, and notes provided by Susan Leitner to shared file and Nextpoint for coding and production;	\$125.00	\$50.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	10/15/2021	1	Arrange in chronological order and bates stamp Leitner documents in Nextpoint; create index to documents; upload documents and index to Dropbox folder; draft supplemental response to requests for production producing Leitner documents; draft letter to opposing counsel attaching supplemental discovery responses; email to opposing counsel regarding same	\$125.00	\$125.00
ERL	10/20/2021	0.4	Review of topics and issues for deposition of Joe Smith of GeoSystems	\$350.00	\$140.00
BHJ	10/20/2021	0.5	Conference regarding deposition of Joe Smith of Geosystems and pertinent items to address during deposition	\$295.00	\$147.50
BHJ	10/20/2021	2.5	Tasks related to preparation for upcoming deposition of Joe Smith of Geosystems including review of Geosystems subpoena response materials, Richland County road design standards, and SM&E Reports	\$295.00	\$737.50
BHJ	10/20/2021	2.8	Attend/appear for deposition of Joe Smith of Geosystems as noticed by counsel for ATC	\$295.00	\$826.00
BHJ	10/25/2021	0.1	Telephone call to chambers of Judge Manning regarding priority scheduling for pending Motion to Eliminate or Reduce Mechanic's Lien	\$295.00	\$29.50
ERL	10/26/2021	0.5	Confer with Mr. Haslinger regarding project status, litigation status, next steps, lien bond, potential additional defendants, and strategy	\$350.00	\$175.00
BHJ	10/26/2021	0.1	Correspond via email with counsel for ATC re status of ATC's discovery responses	\$295.00	\$29.50
BHJ	10/27/2021	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding deposition of Joe Smith of Geosystems; discovery update; status of Motion to Dissolve or Reduce Lien	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	10/27/2021	0.2	Telephone conversation with Susan Leitner at LG Utility Contractors regarding subpoena duces tecum	\$125.00	\$25.00
BHJ	11/1/2021	0.1	Correspond via email with Susan Leitner regarding subpoena response to counsel for ATC	\$295.00	\$29.50
AGC	11/2/2021	0.2	Download additional photos from Susan Leitner and download deposition transcript of Joe Smith of Geo Systems	\$125.00	\$25.00
BHJ	11/3/2021	0.1	Receipt and review of Errata Sheet to Deposition Transcript completed by Joe Smith of Geosystems	\$295.00	\$29.50
BHJ	11/10/2021	0.2	Correspond via email with opposing counsel regarding ATC discovery responses	\$295.00	\$59.00
BHJ	11/15/2021	0.2	Correspond via email with clients Mr. Karl Haslinger and Mr. Nick Leventis regarding ATC's discovery responses and document production	\$295.00	\$59.00
NMT	11/17/2021	2.5	Begin review of Plaintiff's document production and begin separating individual documents from the 2600 page single pdf Plaintiff produced	\$125.00	\$312.50
NMT	11/18/2021	1.5	Continue review of Plaintiff's production and divide and label documents produced	\$125.00	\$187.50
BHJ	11/22/2021	0.5	Correspond via email with Clerk of Court regarding status of scheduling Motion to Dissolve/Reduce Mechanic's Lien; correspond via email with Judge Manning and opposing counsel regarding same; telephone call with opposing counsel and Judge Manning regarding same	\$295.00	\$147.50
BHJ	11/23/2021	0.5	Review/analyze filings regarding ongoing litigation involving ATC Site Construction in Aiken County	\$295.00	\$147.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/23/2021	0.2	Correspond via email with opposing counsel regarding NKD draft Amended Answer and Counterclaims; adding Geosystems as party	\$295.00	\$59.00
BHJ	11/23/2021	0.1	Correspond via email with opposing counsel regarding NKD's Dissolution of Mechanic's Lien Motion	\$295.00	\$29.50
BHJ	11/24/2021	0.2	Finalize FOIA Request to SC LLR regarding all materials related to ATC Site Construction, including license application, complaints, etc.	\$295.00	\$59.00
BHJ	11/24/2021	0.3	Finalize subpoenas to ATC accountant (Oswald) and two (2) subcontractors (Precision Blasting and Gearig Brothers) and letters serving same	\$295.00	\$88.50
AGC	11/24/2021	1	Draft subpoenas and cover letters to Robert Oswald, Gearig Brothers, and Precision Blasting; draft FOIA request form and letter requesting documents pertaining to John Henderson and ATC Construction and email same	\$125.00	\$125.00
AGC	11/24/2021		Subpoenas sent by certified mail, return receipt requested	\$125.00	\$0.00
BHJ	11/29/2021	0.2	Correspond via email with Court and opposing counsel regarding upcoming motion rosters and NKD's Dissolution of Mechanic's Lien Motion	\$295.00	\$59.00
BHJ	11/30/2021	0.3	Correspond via email with opposing counsel for ATC regarding dissolution of mechanic's lien motion	\$295.00	\$88.50
NMT	11/30/2021	2.0	Continue to review and divide Plaintiff's production	\$125.00	\$250.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	12/1/2021	2.0	Tasks related to Motion to Reduce/Dissolve Mechanic's Lien including phone conversations and email correspondence with opposing counsel, review and analysis of ATC accounting for mechanic's lien, documents/timeline related to labor being performed in December 2019-February 2020	\$295.00	\$590.00
BHJ	12/2/2021	0.2	Follow up correspondence via email with counsel for ATC regarding NKD's amended Answer and Counterclaims; addition of parties to case, including Geosystems	\$295.00	\$59.00
BHJ	12/2/2021	0.2	Correspond via email with Court regarding scheduling and logistics for NKD's Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$59.00
NMT	12/2/2021	3.0	Continue to review and separate Plaintiff's Production	\$125.00	\$375.00
BHJ	12/3/2021	0.2	Finalize Supplemental Responses to ATC's Requests for Production producing additional materials from LG Contractors / Susan Leitner and Letter serving same to counsel	\$295.00	\$59.00
NMT	12/3/2021	1.5	Finalize Review of Plaintiff's Production	\$125.00	\$187.50
AGC	12/3/2021	0.2	Email to counsel attaching Supplemental Responses to ATC's Requests for Production producing additional materials from LG Contractors / Susan Leitner and letter to counsel serving same	\$125.00	\$25.00
BHJ	12/5/2021	1.8	Prepare for upcoming meeting with clients Karl Haslinger and Nick Leventis to include review and assembly of pertinent documentation related to mechanic's lien motion and drafting of outline of topics to address during meeting	\$295.00	\$531.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	12/6/2021	3.0	Meeting with clients Karl Haslinger and Nick Leventis to discuss Mechanic's Lien filing and related case items and Site Visit following at River Shoals	\$295.00	\$885.00
BHJ	12/6/2021	0.1	Telephone call to opposing counsel regarding status of ATC's consent to NKD's proposed Amended Answer and Counterclaims	\$295.00	\$29.50
BHJ	12/7/2021	0.1	Follow up email to Court checking on status and logistics of scheduling NKD's Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$29.50
BHJ	12/7/2021	0.2	Finalize subpoena to Geosystems for CGL policy information and Letter serving same to Joel Smith, President of Geosystems	\$295.00	\$59.00
BHJ	12/8/2021	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding hearing on Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	12/13/2021	0.2	Receipt and review of subpoena response from Gearig Brothers Civil works as produced via email	\$295.00	\$59.00
BHJ	12/13/2021	0.2	Telephone call with opposing counsel regarding NKD's subpoena to ATC accountant, Robert Oswald	\$295.00	\$59.00
AGC	12/13/2021	0.6	Download Gearig Brothers Civilworks documents to Nextpoint to code and date; Bates label same; draft discovery response documents producing these documents; draft cover letter to opposing counsel serving supplemental discovery responses	\$125.00	\$75.00
BHJ	12/14/2021	0.2	Finalize NKD's Fourth Supplement Responses to Requests for Production and Letter serving same to opposing counsel	\$295.00	\$59.00
BHJ	12/14/2021	0.2	Telephone call with office of Judge Manning regarding scheduling logistics for NKD's Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$59.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	12/14/2021	0.2	Correspond via email with opposing counsel regarding NKD's subpoena to ATC accountant, Robert Oswald	\$295.00	\$59.00
BHJ	12/14/2021	0.2	Correspond via email with client Nick Leventis regarding hearing on NKD's Motion to Dissolve or Reduce Mechanic's Lien; unsuccessful attempts to schedule motion before Judge Manning	\$295.00	\$59.00
BHJ	12/15/2021	0.3	Revise draft of Amended Answer and Counterclaims to incorporate suggested edits from counsel for ATC in order to obtain consent for filing; correspond via email with counsel for ATC regarding same	\$295.00	\$88.50
AGC	12/15/2021	0.8	Upload Persimmon Hill documents to Nextpoint; code and bates label same for production; draft NKD's Fifth Supplemental Response to ATC's Requests for Production producing Persimmon Hill documents; draft letter to opposing counsel regarding same	\$125.00	\$100.00
AGC	12/15/2021	0.5	Draft Consent Order Allowing NKD's Amended Answer and Counterclaims; draft FOIA request to SCDOT	\$125.00	\$62.50
AGC	12/22/2021		Fee associated with filing proposed consent order allowing NKD to file Amended Answer and Counterclaims	\$125.00	\$0.00
AGC	12/22/2021	0.3	File proposed consent order allowing NKD to file Amended Answer and Counterclaims	\$125.00	\$37.50
NMT	1/3/2022	0.1	Email to Karl Haslinger regarding hearing location	\$125.00	\$12.50
BHJ	1/4/2022	0.2	Conference regarding subpoena to Geosystems / Joe Smith	\$295.00	\$59.00
BHJ	1/5/2022	0.1	Receipt and review of Consent Order entered by Judge Manning allowing leave to NKD to file Amended Answer with Counterclaims	\$295.00	\$29.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/5/2022	0.2	Telephone call with client Mr. Karl Haslinger regarding upcoming hearing on Motion to Reduce ATC Mechanic's Lien	\$295.00	\$59.00
BHJ	1/5/2022	0.2	Finalize draft of Amended Answer and Counterclaims for filing with Court on behalf of NKD	\$295.00	\$59.00
AGC	1/5/2022	0.2	Receipt of judge's order allowing NKD to file Amended Complaint and Counterclaims; file Amended Complaint and Counterclaims via SC Judicial Department online portal	\$125.00	\$25.00
BHJ	1/6/2022	0.2	Receipt and review of email from counsel for ATC regarding NKD's Motion to Compel ATC's discovery responses; conference regarding same	\$295.00	\$59.00
NMT	1/6/2022	0.1	Review court filings and docket deadlines	\$125.00	\$12.50
BHJ	1/7/2022	0.2	Letter to Precision Blasting regarding outstanding subpoena response	\$295.00	\$59.00
NMT	1/7/2022	0.9	Draft notes related to discovery deficiencies	\$125.00	\$112.50
AGC	1/7/2022	0.4	Draft follow up letter to Precision Blasting; search for date Precision Blasting accepted service; email follow up letter to owner of Precision Blasting and docket for deadline	\$125.00	\$50.00
BHJ	1/11/2022	0.2	Telephone call with counsel for ATC regarding NKD's Motion to Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	1/12/2022	5.0	Tasks related to preparation for submission of memorandum in support of Motion to Reduce Mechanic's Lien to include review and analysis of pertinent case law regarding timing issues and disputes of fact, approval of change orders and disputes of fact, and review and compiling of exhibits to use in support of memorandum	\$295.00	\$1,475.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/13/2022	4.2	Drafting of detailed Memorandum in Support of Motion to Reduce / Dissolve Mechanic's Lien for submission to Judge Holt and finalize list of exhibits to use in support of same	\$295.00	\$1,239.00
AGC	1/13/2022	1.9	Organize exhibits for memorandum; highlight provisions in exhibits; research timing of filings for mechanics liens; draft paragraphs regarding timing of filing and event that starts the period for filing; file memorandum and exhibits via SC Judicial Department online filing portal; email memorandum and exhibits to Judge Holt's law clerk and all counsel	\$125.00	\$237.50
BHJ	1/14/2022	1.5	Telephone call from client Nick Leventis regarding affidavit of John Henderson; review/analyze Henderson affidavit and exhibits in support of same as filed by ATC	\$295.00	\$442.50
AGC	1/14/2022		SC Department of Transportation FOIA response	\$125.00	\$0.00
AGC	1/14/2022	0.3	Call SCDOT to pay for FOIA documents; receipt of FOIA response from SCDOT via email; download documents and save to shared drive	\$125.00	\$37.50
ERL	1/17/2022	1.1	Conference call with Mr. Leventis and Mr. Haslinger regarding motions hearing and status	\$350.00	\$385.00
BHJ	1/17/2022	1.3	Telephone call with clients Karl Haslinger and Nick Leventis regarding upcoming Motion to Dissolve/Reduce Mechanic's Lien	\$295.00	\$383.50
BHJ	1/17/2022	3.1	Tasks related to preparation for upcoming hearing on NKD Motion to Reduce Mechanic's Lien to include review and analysis of both parties' memorandums and exhibits, drafting of argument outline	\$295.00	\$914.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/17/2022	0.2	Correspond via email with counsel for ATC regarding resolution of Motion to Compel discovery responses filed by NKD	\$295.00	\$59.00
BHJ	1/17/2022	0.2	Conference regarding subpoena to Geosystems / Joe Smith for commercial general liability or errors and omission insurance information	\$295.00	\$59.00
NMT	1/17/2022	1.1	Identify materials and prepare notebook for motions hearing; email to court regarding Motion to Compel; receive and review Plaintiff's Motion in Opposition and revise notebook to reflect the same; telephone call to Geosystems regarding subpoena response	\$125.00	\$137.50
BHJ	1/18/2022	5.0	Attend court hearing in Columbia, SC with client Nick Leventis for NKD's Motion to Dissolve or Reduce ATC Mechanic's Lien	\$295.00	\$1,475.00
BHJ	1/18/2022	0.3	Follow up email correspondence between opposing counsel for ATC and Judge Holt regarding clarification on forthcoming court ruling	\$295.00	\$88.50
BHJ	1/21/2022	0.3	Review/analyze Answer to NKD's Amended Answer & Counterclaims and Third-Party Complaint against Geosystems filed by ATC; review affidavit of Mark Rhodes, P.E. filed on behalf of ATC in support of Third-Party Complaint against Geosystems; correspond via email with professional liability insurance adjuster for Geosystems regarding same	\$295.00	\$88.50
BHJ	1/21/2022	0.1	Correspond via email with client Nick Leventis regarding status of Judge Holt's ruling on NKD's Motion to Reduce Mechanic's Lien	\$295.00	\$29.50
BHJ	1/24/2022	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding Judge Holt's ruling on NKD's Motion to Reduce Mechanic's Lien	\$295.00	\$59.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/26/2022	0.3	Telephone call and email with opposing counsel for ATC regarding Consent Order reducing Mechanic's Lien by \$30,000.00+	\$295.00	\$88.50
BHJ	1/27/2022	0.8	Research potential engineering experts to retain to consult on case and assist with bringing claims against Geosystems	\$295.00	\$236.00
BHJ	1/28/2022	0.2	Telephone call with opposing counsel for ATC regarding reduction of fees included within ATC's mechanic's lien filing and consent order regarding same	\$295.00	\$59.00
BHJ	1/28/2022	0.5	Review and analysis of applicable procedure for reducing of mechanic's lien amount with ROD and Clerk's Office as discussed with counsel for ATC	\$295.00	\$147.50
BHJ	1/28/2022	0.2	Receipt and review of CV and Fee Schedule provided by potential expert Steve Moore, PE of ABS	\$295.00	\$59.00
ERL	1/31/2022	0.5	Review of issues relating to expert witnesses; provide update to Mr. Haslinger	\$350.00	\$175.00
BHJ	1/31/2022	0.1	Receipt and review of email from client Nick Leventis regarding claims against Geosystems and retention of expert witness for same	\$295.00	\$29.50
NMT	1/31/2022	1.5	Draft NKD's Second Supplemental Answers to Interrogatories; draft 6th Supplemental Production; draft correspondence to all counsel regarding the same and bates label supplemental production	\$125.00	\$187.50
ERL	2/1/2022	0.3	Communications and updates with clients	\$350.00	\$105.00
BHJ	2/1/2022	0.2	Correspond via email with counsel for ATC regarding filing of proposed Consent Order reducing amount of mechanic's lien; finalize same for filing with Court	\$295.00	\$59.00
ERL	2/2/2022	1.1	Prepare for client call; conduct status call with client and confirm next steps	\$350.00	\$385.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	2/2/2022	0.5	Prepare for upcoming phone call with clients Karl Haslinger and Nick Leventis to include drafting of memo regarding case status updates	\$295.00	\$147.50
BHJ	2/2/2022	1.1	Conference call with clients Karl Haslinger and Nick Leventis regarding case status updates, retention of engineering experts for claims against Geosystems	\$295.00	\$324.50
BHJ	2/2/2022	0.4	Review code section to confirm proper amount for bonding of off ATC lien; calculate same based on reduced mechanic's lien figure; correspond via email with client Nick Leventis regarding mechanic's lien bond amount and filing	\$295.00	\$118.00
BHJ	2/2/2022	0.5	Finalize draft of Consent Order reducing ATC's Mechanic's Lien for filing with Court	\$295.00	\$147.50
BHJ	2/3/2022	0.2	Receipt and review of Consent Order entered by Court reducing ATC's Mechanic's Lien amount; correspond via email with clients Nick Leventis and Karl Haslinger regarding same	\$295.00	\$59.00
NMT	2/15/2022	1.8	Draft Cash Bond to Release Mechanic's Lien and prepare exhibits for the same	\$125.00	\$225.00
BHJ	2/16/2022	0.6	Compile pertinent initial records for engineering expert, Steve Moore of ABS, to review; Correspond via email Mr. Moore regarding same	\$295.00	\$177.00
BHJ	2/16/2022	0.2	Correspond via email with insurance broker / adjuster for Geosystems regarding amending pleading adding Geosystems to case and status of service of process and retention of counsel for Geosystems	\$295.00	\$59.00
NMT	2/17/2022	1.0	L&A CC Payment to Richland County Register of Deeds for monthly access to search and documents to retrieve plat needed for release of Mechanic's Lien and retrieve release once filed	\$125.00	\$125.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	2/17/2022	0.8	Revise and Finalize Release for Cash Bond; email the same to team.	\$125.00	\$100.00
BHJ	2/18/2022	0.2	Correspond via email with counsel for ATC regarding status of service of process on Geosystems	\$295.00	\$59.00
BHJ	2/21/2022	0.2	Receipt and review of letter from counsel for ATC to Joe Smith of Geosystems serving copy of Third-Party Complaint against Geosystems	\$295.00	\$59.00
BHJ	2/23/2022	0.4	Receipt and review of email from Joe Bucciarelli of Precision Blasting with subpoena response and documents related to River Shoals	\$295.00	\$118.00
NMT	2/23/2022	0.8	Draft correspondence to Walter Arnold regarding Bond to Release Mechanic's Lien; prepare FedEx of the same; email the same to Walter Arnold; to and from FedEx	\$125.00	\$100.00
BHJ	3/4/2022	0.1	Correspond via email with engineering expert, Steve Moore of ABS, regarding phone conference to discuss review and opinion of initial records	\$295.00	\$29.50
BHJ	3/7/2022	0.2	Letter to counsel for ATC producing records received from Precision Blasting in response to subpoena issued for same	\$295.00	\$59.00
AGC	3/7/2022	0.7	Upload Precision Blasting documents into Nextpoint to code; Bates label same; download to file; draft Seventh Supplemental Responses to discovery	\$125.00	\$87.50
AGC	3/7/2022	0.2	Draft cover letter to opposing counsel attaching Seventh Discovery Responses; draft letter attaching same along with documents	\$125.00	\$25.00
BHJ	3/9/2022	0.5	Tasks related to preparation for upcoming phone call with engineer expert, Steve Moore of ABS, to discuss opinions based on initial review of documents	\$295.00	\$147.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	3/9/2022	0.6	Phone conference with engineering expert, Steve Moore of ABS, to discuss his opinions regarding breaches of standard of care of ATC and Geosystems based on initial review of case	\$295.00	\$177.00
BHJ	3/9/2022	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding phone conference conducted with engineering expert Steve Moore regarding his initial opinions supporting claims against ATC and Geosystems	\$295.00	\$59.00
BHJ	3/10/2022	0.2	Conference regarding developing NKD witnesses, including Steve Staley of Richland County and Replacement Road Contractor	\$295.00	\$59.00
BHJ	3/23/2022	0.6	Review and compile additional materials for review/analysis by engineering expert Steve Moore of ABS; correspond via email with Steve Moore regarding same	\$295.00	\$177.00
AGC	3/23/2022	0.3	Upload additional materials to Dropbox file for expert Steve Moore	\$125.00	\$37.50
BHJ	4/6/2022	0.2	Telephone call with expert Steve Moore of ABS regarding additional opinions as to Geosystems and timetable for completion of his affidavit to be filed in support of claims to be initiated against Geosystems	\$295.00	\$59.00
BHJ	4/11/2022	0.5	Review file for additional pertinent materials to send to expert witness Steve Moore, including contract and materials from Civil Engineering of Columbia; correspond via email with Mr. Moore regarding same	\$295.00	\$147.50
NMT	4/11/2022	1.2	Review of file regarding contracts and road plans for expert; email to CEC attorney for contract; email to expert regarding road plans	\$125.00	\$150.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	4/12/2022	0.4	Review of work product from expert witness; confer with Mr. Joyce and clients regarding next steps	\$350.00	\$140.00
BHJ	4/12/2022	0.8	Review/analyze draft affidavit provided by expert witness, Steve Moore, P.E. regarding breaches of standard of care by ATC and Geosystems; correspond via email with Mr. Moore and clients Karl Haslinger and Nick Leventis regarding same	\$295.00	\$236.00
BHJ	4/12/2022	0.4	Review/locate road/pavement design plans, contract(s) per request of engineer expert witness, Steve Moore for his utilization of same for finalizing his affidavit	\$295.00	\$118.00
BHJ	4/13/2022	0.2	Correspond via email with counsel for ATC Site Construction regarding service of process on Geo-Systems of ATC's Third Party Complaint	\$295.00	\$59.00
NMT	4/13/2022	0.3	Review file for contracts to provide to expert; telephone call to Amanda Cristaldi to request contract	\$125.00	\$37.50
BHJ	4/18/2022	0.3	Receipt and review of finalized affidavit from expert witness Steve Moore PE	\$295.00	\$88.50
BHJ	4/18/2022	0.2	Correspond via email with insurance adjuster for Geo-Systems regarding status of retention of counsel for represent Geo-Systems in lawsuit	\$295.00	\$59.00
NMT	4/19/2022	0.3	Draft Notice of Filing Mechanic's Lien Bond	\$125.00	\$37.50
BHJ	4/21/2022	0.8	Begin drafting of Cross Claims to be filed against Geo-System	\$295.00	\$236.00
BHJ	4/22/2022	3.0	Finalize draft of Cross Claim to be filed against Geo-System and Consent Order to be circulated amongst parties allowing same	\$295.00	\$885.00
BHJ	4/28/2022	0.1	Correspond via email with counsel for ATC Site Construction regarding final repair cost numbers for NKD	\$295.00	\$29.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	4/28/2022	1.5	Review of file materials and create a flash drive for Mr. Leventis	\$125.00	\$187.50
NMT	4/29/2022	1.1	Review of all file materials and ensure all items were scanned into system and review for previous productions	\$125.00	\$137.50
NMT	5/2/2022	0.1	Text to Nick Leventis regarding CPA information	\$125.00	\$12.50
BHJ	5/6/2022	0.1	Review Answer filed by Geo-Systems to ATC Site Construction's Third-Party Complaint	\$295.00	\$29.50
BHJ	5/9/2022	0.2	Receipt and review of subpoenas served by counsel for ATC Site Construction to Carolina Tap & Bore, CEC, Gearing Civil works, S&ME, Back Forty Aerial Solutions, Belter and Associates Inc, Precision Blasting, and Ameris Bank	\$295.00	\$59.00
BHJ	6/7/2022	1.3	Review/analyze discrepancy issue with Pay App 20 and possible credit to NKD for \$61,587.00 for deceleration lane that was potentially never, in fact, credited	\$295.00	\$383.50
BHJ	6/12/2022	0.1	Correspond via email with office of expert witness Steve Moore regarding invoice for additional work conducted by Mr. Moore	\$295.00	\$29.50
BHJ	7/5/2022	0.2	Correspond via email with counsel for ATC and Geo-Systems regarding NKD's filing of Second Amended Complaint and requesting consent from ATC and Geo-Systems as to same	\$295.00	\$59.00
NMT	7/5/2022	0.8	Draft Consent Motion to Amend; prepare exhibits and cover sheets to Amended Answer; finalize Second Amended Answer for distribution	\$125.00	\$100.00
BHJ	7/7/2022	0.2	Phone call from counsel for Geo-Systems regarding status of discovery, NKD's proposed Amended Complaint with claims against Geo-Systems	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	7/7/2022	0.8	Create dropbox with all production and discovery material to date and share the same with Robert Osborne, counsel for Geosystems	\$125.00	\$100.00
BHJ	7/12/2022	0.2	Correspond via email with counsel for ATC regarding ATC's consent to amendment of complaint and addition of claims against Geo-Systems	\$295.00	\$59.00
BHJ	7/20/2022	0.8	Correspond via email with office of counsel for ATC Site Construction regarding depositions of NKD witnesses; review/compile list of witnesses to depose from ATC Site Construction and correspond via email with counsel for ATC regarding same	\$295.00	\$236.00
BHJ	7/20/2022	0.1	Correspond via email with counsel for Geo-Systems regarding status of consent to proposed amended Complaint	\$295.00	\$29.50
BHJ	7/25/2022	1.0	Finalize Amended Answer and Counterclaims adding Geo-Systems to case; finalize draft of Consent Order permitting same for filing with Court	\$295.00	\$295.00
NMT	7/25/2022	0.5	Finalize and file Consent Order to file Second Amended Answer and Counterclaims	\$125.00	\$62.50
NMT	7/25/2022	1.5	Draft and revise supplemental interrogatory and production responses and create dropbox regarding the same	\$125.00	\$187.50
BHJ	7/28/2022	0.2	Conference regarding deposition strategy and scheduling; coordinating damages figures with NKD Accountant	\$295.00	\$59.00
NMT	8/3/2022	0.2	Telephone call to Richland County Clerk's office regarding Consent Order	\$125.00	\$25.00
BHJ	8/8/2022	0.2	Phone call and email to Richland County Clerk of Court regarding status of Court's review and entering of Consent Order to allow NKD to amend Answer and Counterclaims	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	8/9/2022	0.2	Receipt and review of Consent Order entered by Court granting NKD Motion to Amend Complaint to add Geo-Systems as party; finalize Amended Complaint for filing with Court	\$295.00	\$59.00
NMT	8/9/2022	0.4	Receive Order from Court regarding Motion to Amend; finalize and electronically file Amended Answer and Counterclaims and exhibits with Court	\$125.00	\$50.00
NMT	8/9/2022	0.4	Telephone call with Skye at MGC regarding deposition dates and scheduling; emails with Trippett Bonneau regarding the same	\$125.00	\$50.00
NMT	8/10/2022	0.1	Email to Opposing Counsel regarding depositions and 30(b)(6) topics	\$125.00	\$12.50
BHJ	8/12/2022	0.2	Correspond via email with counsel for GeoSystems regarding NKD's Cross Claims against GeoSystems, acceptance of service of same	\$295.00	\$59.00
BHJ	8/12/2022	0.2	Conference regarding depositions of ATC and NKD witnesses	\$295.00	\$59.00
NMT	8/12/2022	0.2	Email with Robert Osborne regarding service of Crossclaim against Geosystems	\$125.00	\$25.00
NMT	8/17/2022	0.2	Docket deposition for Plaintiff's deponents	\$125.00	\$25.00
NMT	8/22/2022	0.2	Email from Trippett Bonnet regarding depositions; email to Nick Leventis and Karl Haslinger regarding scheduling depositions	\$125.00	\$25.00
NMT	8/24/2022	0.2	Emails with Trippett Boineau and Skye Kinder regarding deposition logistics and scheduling	\$125.00	\$25.00
ERL	8/30/2022	0.5	Direct litigation team regarding comprehensive list of next steps	\$350.00	\$175.00
BHJ	8/30/2022	0.6	Conference regarding preparation/planning/strategy for upcoming depositions	\$295.00	\$177.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	9/1/2022	0.5	Email to Trippett Bonneau regarding depositions and scheduling suggestions; telephone call to Mike Barb, CPA to set up conference call regarding damages; circulate invite and dial in instructions for call	\$125.00	\$62.50
AGC	9/1/2022	0.7	Creation of case management chart following meeting with Ellis Lesemann and Ben Joyce regarding tasks that need to be accomplished; circulate to attorneys and paralegals	\$125.00	\$87.50
BHJ	9/2/2022	0.3	Receipt and review of emails from client Nick Leventis regarding HUD for initial closing of lots, and three (3) lien waivers from replacement road and site contractors	\$295.00	\$88.50
NMT	9/2/2022	2.9	Review status of all production and inventory items needing follow up	\$125.00	\$362.50
NMT	9/2/2022	0.4	Review of all emails from September 1 through September 2 regarding production and lien waivers; email to Skye Kinder regarding deposition dates for ATC and docket the same	\$125.00	\$50.00
BHJ	9/6/2022	0.3	Phone conference and email with Mike Barb, CPA regarding NKD general ledgers for River Shoals to assist with damages calculations and analysis	\$295.00	\$88.50
NMT	9/8/2022	0.8	Draft subpoena, cover letter, and exhibits to Robert Oswald, CPA; email the same to all counsel and clients; prepare service of the same	\$125.00	\$100.00
NMT	9/12/2022	0.5	Review of all Pleadings and update index to prepare file for next steps	\$125.00	\$62.50
ERL	9/13/2022	1.4	Prepare and revise final notice to ATC's counsel; confer regarding escrow amount with Mr. Haslinger; review of documents relating to additional subcontractor	\$350.00	\$490.00
ERL	9/13/2022	0.3	Communications with expert witnesses	\$350.00	\$105.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	9/13/2022	0.3	Compile and prepare itemization of interim damages	\$350.00	\$105.00
BHJ	9/13/2022	1.0	Review invoices and damages documentation related to repair vendors; calculate same and draft itemized damages spreadsheet	\$295.00	\$295.00
BHJ	9/13/2022	0.2	Correspond via email with expert witness Steve Moore, P.E. regarding Gearig Civilworks records and request for phone conference to discuss same after his review	\$295.00	\$59.00
ERL	9/14/2022	1.1	Review of S&ME reports; prepare for call with Chad Bruorton; review of documents relating to Gearig Civilworks; conference call with Mr. Bruorton regarding status and next steps; provide update to Mr. Haslinger	\$350.00	\$385.00
BHJ	9/14/2022	0.3	Conference regarding damages calculation; invoices from LG Utility Contractors, Inc. & Asphalt Paving and Maintenance Co., Inc.	\$295.00	\$88.50
BHJ	9/14/2022	0.2	Correspond via email with office of counsel for ATC regarding depositions of ATC witnesses, including Robert Oswald (CPA for ATC) and Jonathan Whitehead	\$295.00	\$59.00
BHJ	9/14/2022	0.2	Conference regarding previous subpoenas issued by ATC to eight (8) vendors; request to supplement discovery responses with subpoena productions	\$295.00	\$59.00
BHJ	9/14/2022	0.4	Conference regarding ATC subcontractor, Gearig Civilworks, and Gearig's involving in soil cement mix and grading; potential addition to lawsuit as defendant; correspond via email with clients Karl Haslinger and Nick Leventis regarding same	\$295.00	\$118.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/14/2022	0.8	Review of ATC document production for any additional records or references as to extent of Gearig Civilworks involvement with roadwork at River Shoals and as subcontractor of ATC	\$295.00	\$236.00
NMT	9/14/2022	0.3	Telephone call and email with Susan Leitner at NKD regarding invoices from LG Utility Contractors; sent email confirming the same and providing my contact; create Nextpoint link for Susan to upload invoices	\$125.00	\$37.50
NMT	9/14/2022	0.1	Call to Asphalt Paving and Maintenance and left message for John regarding invoices	\$125.00	\$12.50
BHJ	9/15/2022	2.5	Review/analyze "substantial completion" references in Contract Documents and review pertinent case law and secondary sources regarding interpretation of "standard completion" for purposes of finalizing calculation of liquidated damages claim	\$295.00	\$737.50
BHJ	9/15/2022	0.2	Correspond via email with office of Mike Barb, CPA for NKD, regarding general ledgers for River Shoals	\$295.00	\$59.00
BHJ	9/15/2022	0.3	Conference regarding supplementation of discovery responses and producing updated damages calculation and documentation on behalf of NKD	\$295.00	\$88.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	9/15/2022	2.5	Review of all proposed deponents; multiple communications with Skye from MKG to work on scheduling; emails to clients regarding the same; Telephone calls with Susan Leitner regarding depositions; Receive production of invoices from Susan Leitner and organize the same in Nextpoint; telephone call to Asphalt paving regarding invoices and locate all invoices to total lien waiver; review of potential filings and exhibits for Motion for Writ and Affidavit of Karl Haslinger	\$125.00	\$312.50
BHJ	9/19/2022	0.2	Correspond via email with counsel for ATC Site Construction and Geo-Systems regarding request for consent to amending NKD's Answer to add Gearig Civilworks as party on claims of negligence and violation of the South Carolina Unfair Trade Practices Act	\$295.00	\$59.00
BHJ	9/20/2022	1.2	Finalize drafts of First Sets of Interrogatories and First Sets of Requests for Production for service on Geo-Systems	\$295.00	\$354.00
NMT	9/21/2022	0.6	Draft correspondence to Robert Osborne serving discovery requests; update index with served discovery and docket deadline; email to all parties regarding discovery requests	\$125.00	\$75.00
ERL	9/26/2022	0.6	Prepare for call with counsel for ATC; conduct conference call; review of damages calculation	\$350.00	\$210.00
BHJ	9/26/2022	0.4	Prepare for initial phone conference with counsel for ATC regarding ATC asset sale and measures to protect NKD's interest	\$295.00	\$118.00
BHJ	9/26/2022	0.3	Conduct initial phone conference with counsel for ATC regarding ATC asset sale and proposal for escrow of funds to protect NKD's interest	\$295.00	\$88.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/26/2022	0.8	Conference following discussion with counsel for ATC regarding calculation of substantial completion date and liquidated damages including prejudgment interest rate; review/analyze pertinent case law related to assignment of prejudgment interest to liquidated damages claims	\$295.00	\$236.00
BHJ	9/26/2022	0.1	Correspond via email with clients Karl Haslinger and Nick Leventis regarding phone conference to discuss recent discussion with counsel for ATC regarding ATC asset sale and NKD interim damages calculation	\$295.00	\$29.50
NMT	9/26/2022	1.2	Create spreadsheet to calculate damages as incurred from three vendors; email summary of the same to team; email opposing counsel and organize conference call	\$125.00	\$150.00
ERL	9/27/2022	1.9	Prepare for conference call; conduct conference call with Mr. Leventis and Mr. Haslinger; assemble and calculate damages; prepare letter to counsel for ATC	\$350.00	\$665.00
BHJ	9/27/2022	0.5	Conduct legal research regarding extent of evidentiary basis needed / standard of review for motion for prejudgment writ of attachment against ATC	\$295.00	\$147.50
BHJ	9/27/2022	0.2	Correspond via email with counsel for ATC regarding forthcoming damages calculation production and phone conference on 09/30/22 to further discuss escrow of funds	\$295.00	\$59.00
NMT	9/27/2022	0.2	Emails with Trippett Boineau regarding NKD depositions	\$125.00	\$25.00
NMT	9/27/2022	0.2	Telephone call to Robin Hoffman at Carolina Contracting and email regarding corresponding invoice for check	\$125.00	\$25.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/28/2022	0.9	Prepare Motion to Compel subpoena response of Robert M Oswald II CPA (ATC accountant) and compile exhibits in support of same	\$295.00	\$265.50
NMT	9/28/2022	2.3	Create reports for fees, bills, and expert costs for settlement discussions, review all deponents and create chart of potential scheduling and email the same to all parties to include Robert Osborne on the discussions on scheduling; bates label supplemental production and produce invoices and waivers from contractors; serve correspondence relating to escrow	\$125.00	\$287.50
ERL	9/30/2022	0.6	Prepare for call with opposing counsel regarding damages and escrow agreement; conduct call and discuss next steps	\$350.00	\$210.00
BHJ	9/30/2022	0.1	Receipt and review of email from counsel for Geo-Systems regarding coordinating of upcoming depositions of witnesses from ATC and NKD	\$295.00	\$29.50
BHJ	9/30/2022	0.6	Phone call with counsel for ATC regarding ATC's proposal of escrowing funds from asset sale to protect NKD's interests; internal conference prior to and afterwards to discuss same	\$295.00	\$177.00
ERL	10/5/2022	0.3	Prepare and implement next steps in litigation to add additional subcontractor, calculate damages, and schedule depositions	\$350.00	\$105.00
ERL	10/6/2022	0.5	Review of update from counsel for ATC; provide written response; confer with counsel for ATC to confirm that asset sale is being closed but monies will not be released and that set aside will occur	\$350.00	\$175.00
ERL	10/11/2022	0.4	Tasks and conferences relating to confirmation of set aside; confer with clients regarding same	\$350.00	\$140.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	10/31/2022	0.4	Review of contract provisions relevant to claims; review of proposed Second Amended Complaint; follow-up with opposing counsel regarding Consent Order to set aside funds	\$350.00	\$140.00
BHJ	11/17/2022	1.5	Review SM&E reports to incorporate specific details from same into amended pleading with new claims against Gearig	\$295.00	\$442.50
BHJ	11/18/2022	0.1	Receipt and review of email from counsel for ATC regarding Consent Order for Preservation of \$2,500,000 generated from recent asset sale	\$295.00	\$29.50
ERL	11/30/2022	0.4	Review and finalize Amended Answer and Counterclaims	\$350.00	\$140.00
NMT	11/30/2022	0.2	Create comparison versions of proposed order	\$125.00	\$25.00
ERL	12/1/2022	0.3	Review of revisions to Consent Order; confer with Mr. Leventis regarding status	\$350.00	\$105.00
BHJ	12/1/2022	0.2	Correspond via email with counsel for ATC and Geo-Systems regarding proposed amended pleading adding Gearig Civilworks and request for consent from parties as to same	\$295.00	\$59.00
NMT	12/2/2022	0.3	Review strategy and case status with litigation team and develop next action steps	\$125.00	\$37.50
NMT	12/7/2022	1.1	Draft Consent Order and prepare attachments for filing third amended complaint; electronically file consent order with proposed complaint and attachments	\$125.00	\$137.50
NMT	12/27/2022	0.2	Track service of Third-Party Complaint and calendar deadline for Gearig to Answer	\$125.00	\$25.00
ERL	12/28/2022	0.3	Confer with Mr. Haslinger regarding status and next steps	\$350.00	\$105.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	12/29/2022	0.2	Receipt and review of Answers filed by Geosystems and ATC to recently amended pleading filed on behalf of NKD with cross/counter claims against Geo-Systems and third party claims against Gearig Civilworks	\$295.00	\$59.00
NMT	1/3/2023	0.2	Receive and review ATC's Answer to Amended Answer, Counterclaims, and Cross-claims for claims that may need a response	\$125.00	\$25.00
AGC	1/6/2023	0.2	Receipt of notification from clerk of court regarding case on trial roster for week of February 6; look up roster to determine case is #19; create and circulate Outlook invite regarding roster meeting on February 6 and deadline to file motion and order for continuance on January 30	\$125.00	\$25.00
ERL	1/9/2023	0.7	Prepare and revise Consent Order; planning relating to deposition schedule; provide update and response to inquiry from Mr. Leventis	\$350.00	\$245.00
NMT	1/9/2023	1.4	Review of Discovery production and create Dropbox for Rett Kendall as attorney for Gearig; email to Myra Rutland regarding subpoena responses not produced by Plaintiff; discuss strategy for depositions with Ellis R. Lesemann and begin execution of the same; email to Rett's paralegal Melissa sharing discovery index and productions	\$125.00	\$175.00
NMT	1/10/2023	1.7	Analyze and collect documents related to damages and prepare Dropbox of the same for Mike Barb; analyze documents needed to prove damages and create list of action items	\$125.00	\$212.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/11/2023	1.1	Identify additional invoices, tax records, and documents for production and pull into Nextpoint to prepare for production; begin coding of documents; identify witnesses per discussion with Ellis Lesemann for depositions and draft email regarding the same to all parties	\$125.00	\$137.50
NMT	1/12/2023	0.3	Emails with all parties regarding deposition dates; email with Rett Kendall regarding discovery previously produced and provided to his firm	\$125.00	\$37.50
NMT	1/13/2023	0.3	Emails with Melissa Taylor regarding potential deponents and identity of witnesses	\$125.00	\$37.50
NMT	1/13/2023	0.2	Receive Geo-Systems Answer to Cross- Claims and review for items needing a response	\$125.00	\$25.00
BHJ	1/16/2023	0.2	Finalize NKD's Supplemental Responses to Requests for Production to all parties and Letter serving same to counsel	\$295.00	\$59.00
NMT	1/16/2023	3.8	Organize all production to date; compile documents not produced; code documents in Nextpoint; bates and finalize documents for production; draft responses to requests for production; draft correspondence regarding the same; create dropbox of documents to be produced and produce the same via email and US Mail to all parties	\$125.00	\$475.00
NMT	1/17/2023	0.2	Emails from Rett Kendall regarding Gearig discovery responses and request for extension; docket the same	\$125.00	\$25.00
NMT	1/20/2023	0.3	Create Dropbox of items evidencing financial damages	\$125.00	\$37.50
ERL	1/25/2023	1.4	Prepare for conference call with damages expert witness; conduct call; discuss status with clients	\$350.00	\$490.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/27/2023	0.2	Schedule and docket Zoom meeting for NKD Accountants; email to accountants regarding the same	\$125.00	\$25.00
NMT	1/30/2023	0.2	Emails with team and update Zoom meeting to discuss damages	\$125.00	\$25.00
AGC	2/3/2023	0.1	Receipt of motion hearing on motion to compel subpoena response of Mr. Oswald; docket same on firm calendar	\$125.00	\$12.50
NMT	2/6/2023	0.2	Review emails from accountants and schedule Zoom call to discuss damages calculations	\$125.00	\$25.00
NMT	2/7/2023	0.9	Revise Responses to Requests to Admit and prepare for service; draft subpoena to Ameris Bank to prepare damages calculations	\$125.00	\$112.50
NMT	2/8/2023	0.4	Draft Notice of Subpoena to all parties and revise subpoena to reflect compliance with new SC Rules of Civil Procedure	\$125.00	\$50.00
AGC	2/9/2023	0.2	Download Gearig's Motion to Dismiss Third Party Complaint and circulate to Ellis Lesemann and Ben Joyce; briefly research derivative liability case law	\$125.00	\$25.00
BHJ	2/10/2023	0.2	Finalize subpoena to Ameris Bank and letter serving same	\$295.00	\$59.00
NMT	2/10/2023	1.2	Revise Notice of Subpoena, letter, and subpoena to Ameris Bank; send email regarding the same to all parties; revise NKD's Answers to Gearig's Requests for Admission; draft letter to Rhett Kendall regarding the same and email to all parties regarding NKD's Answers	\$125.00	\$150.00
NMT	2/16/2023	1.0	Research additional information as requested by Ameris Bank and provide the same to assist in subpoena response; review emails and list of possible deponents; send detailed email to opposing counsel regarding order and length of depositions	\$125.00	\$125.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	2/22/2023	0.2	Telephone call and email with Denise Stupka at Ameris Bank regarding subpoena	\$125.00	\$25.00
NMT	2/28/2023	0.2	Review rules of court and telephone call with Paul at Clerk of Court to determine proper method for filing proposed order under seal	\$125.00	\$25.00
BHJ	3/1/2023	0.1	Receipt and review of subpoena to Ameris Bank served by ATC via email	\$295.00	\$29.50
BHJ	3/6/2023	1.7	Conference regarding upcoming depositions, expert witness development, reconfiguration of pleadings to address Gearig's dispositive motions, and other general case development items; begin review of procedural rules and case law pertinent to Gearig's Motions to Dismiss	\$295.00	\$501.50
NMT	3/6/2023	0.8	Meet with attorneys to discuss strategy for depositions; finalizing discovery; and preparing for August trial; receive Fed Ex from Ameris Bank in response to subpoena; email to Kimberly Russell at Ameris Bank to resolve issues needing clarification with subpoena response; email to court to remove motion to compel from roster	\$125.00	\$100.00
NMT	3/8/2023		L&A CC Payment to Richland County Clerk of Court - Motion to Join Defendants Filing Fee	\$125.00	\$0.00
NMT	3/9/2023	0.3	Draft email to Court regarding Motion to Join and request that it be scheduled with other pending motions	\$125.00	\$37.50
NMT	3/9/2023	0.4	Telephone call to Richland County Clerk regarding filing under seal; file proposed order under seal	\$125.00	\$50.00
NMT	3/9/2023		L&A CC Payment to Richland County Clerk of Court - Filing Fee for Proposed Order	\$125.00	\$0.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	3/13/2023	0.3	Telephone call and email to Ameris Bank regarding subpoena response and lack of records	\$125.00	\$37.50
BHJ	3/20/2023	0.3	Telephone call with counsel for Geo-Systems regarding reconfiguration of case caption and alignment of parties; NKD's claimed damages; and scheduling of mediation	\$295.00	\$88.50
BHJ	3/20/2023	0.3	Conference regarding scheduling of mediation; updating discovery responses to serve to all parties	\$295.00	\$88.50
NMT	3/20/2023	0.3	Email to Clerk of Court and telephone call regarding adding Motion to Roster; review online pleadings in preparation of hearing	\$125.00	\$37.50
NMT	3/21/2023	1.8	Receive Ameris Bank Subpoena response; import files from CD to Nextpoint; review and code production in Nextpoint; export files for production; draft index of production; draft supplemental responses to requests for production	\$125.00	\$225.00
BHJ	3/27/2023	1.0	Review/analyze proposed Order prepared by Gearig granting Gearig's Motions to Dismiss; review/analyze applicable procedural rules cited in Order; correspond via email with counsel for ATC regarding same	\$295.00	\$295.00
BHJ	3/28/2023	0.7	Prepare edits on behalf of NKD to Gearig's proposed Order granting Motions to Dismiss without prejudice; correspond via email with counsel for Gearig regarding same	\$295.00	\$206.50
NMT	3/29/2023	1.0	Draft deposition notices for ATC witnesses (*5)	\$125.00	\$125.00
NMT	3/31/2023	0.5	Draft correspondence to opposing counsel regarding depositions; emails to all parties regarding depositions; serve all deposition notices to all parties	\$125.00	\$62.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	4/7/2023	0.8	Confer with expert witnesses regarding damages allegations, liquidated damages, prejudgment interest, and related matters	\$350.00	\$280.00
BHJ	4/17/2023	0.2	Correspond via email with expert witness, Steve Moore, regarding upcoming depositions of John Henderson and Glenn Gentry of ATC and coordinating phone conference with Mr. Moore to discuss and prepare for same	\$295.00	\$59.00
NMT	4/17/2023	0.5	Schedule meeting and set up Zoom for deposition preparation; obtain court reporter for April 24 & 25th depositions	\$125.00	\$62.50
ERL	4/19/2023	0.4	Confer with Mr. Moore regarding status and issues to cover during upcoming depositions	\$350.00	\$140.00
BHJ	4/19/2023	0.4	Conduct phone conference with expert witness, Steve Moore, to discuss and prepare for upcoming depositions of John Henderson and Glenn Gentry of ATC	\$295.00	\$118.00
BHJ	4/19/2023	0.3	Conference regarding task list of items to address and prepare for upcoming depositions of ATC witnesses, John Henderson and Glenn Gentry	\$295.00	\$88.50
NMT	4/20/2023	4.2	Identify and locate deposition exhibits;	\$125.00	\$525.00
ERL	4/21/2023	1.6	Prepare for conference with Mr. Leventis and Mr. Haslinger; conduct conference call regarding upcoming depositions and case status; review of issues and strategy	\$350.00	\$560.00
BHJ	4/21/2023	0.6	Correspond via email with counsel for Geo-Systems and respond to inquiry regarding itemized repair costs and damages incurred by NKD; conference regarding same	\$295.00	\$177.00
NMT	4/21/2023	5.4	Create notebooks for potential trial exhibits and deposition exhibits	\$125.00	\$675.00
ERL	4/22/2023	3.9	Prepare for deposition of John Henderson; review and analysis of exhibits; prepare questions	\$350.00	\$1,365.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	4/23/2023	7.5	Prepare for deposition of John Henderson; review of contract documents, testing results, road specifications, and related documents	\$350.00	\$2,625.00
NMT	4/23/2023	5.5	Prepare for depositions of John Henderson and Glenn Gentry; create file folders of all exhibits	\$125.00	\$687.50
ERL	4/24/2023	8.1	Prepare for deposition of John Henderson; conduct Day 1 of deposition; prepare for Day 2 of deposition	\$350.00	\$2,835.00
NMT	4/24/2023	1.2	Prepare exhibits for Glenn Gentry deposition; create Nextpoint Litigation Database	\$125.00	\$150.00
ERL	4/25/2023	8.1	Prepare for deposition; conduct Day 2 of deposition of John Henderson; attend deposition of Glenn Gentry; conduct site visit following road and utility repairs; witness interview with Scott Moore	\$350.00	\$2,835.00
BHJ	4/25/2023	2.0	Prepare/review outline of questions for deposition of Glenn Gentry; finalize exhibits to introduce during Mr. Gentry's deposition	\$295.00	\$590.00
NMT	4/25/2023	1.5	Identify and move potential trial exhibits to separate Nextpoint folder and identify documents by Bates number	\$125.00	\$187.50
BHJ	4/26/2023	0.3	Conferences regarding serving supplemental discovery requests on certain issues disclosed during recent deposition of John Henderson of ATC	\$295.00	\$88.50
BHJ	4/28/2023	0.6	Draft Supplemental Interrogatories and Requests for Production to serve ATC Site Construction for certain information disclosed during depositions of John Henderson and Glenn Gentry	\$295.00	\$177.00
BHJ	5/1/2023	0.2	Receipt and review of Answer filed on behalf of Geo-Systems to pleading of ATC	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	5/1/2023	2.8	Emails with Plaintiff's counsel's office regarding deposition dates and subpoena responses; draft subpoena to Nexton; draft notice of service of subpoena to all parties; draft supplemental requests for production	\$125.00	\$350.00
BHJ	5/2/2023	0.6	Revise drafts of NKD's Supplemental Interrogatories and Requests for Production to ATC and finalize letter to opposing counsel serving same	\$295.00	\$177.00
NMT	5/4/2023	0.3	Discuss needs for depositions of Karl Haslinger and Nick Leventis; draft email to Trippett Boineau regarding depositions and docket the same	\$125.00	\$37.50
NMT	5/10/2023	0.2	Review deposition dates and email to team regarding strategy and dates	\$125.00	\$25.00
NMT	5/10/2023	1.5	Review, code, and Bates label Carolina Contracting Subpoena response; create dropbox with responsive materials	\$125.00	\$187.50
NMT	5/12/2023	0.5	Receive and download deposition transcripts; create Dropbox of the same and share with expert and clients	\$125.00	\$62.50
NMT	5/15/2023	0.5	Multiple emails and reviews for scheduling depositions	\$125.00	\$62.50
NMT	5/18/2023	0.3	Emails with opposing counsel and clients regarding depositions	\$125.00	\$37.50
NMT	5/24/2023	0.3	Emails with Nick Leventis and representatives of MGC regarding Mr. Leventis' deposition	\$125.00	\$37.50
NMT	5/24/2023	3.8	Identify exhibits and create timeline for deposition preparation	\$125.00	\$475.00
BHJ	5/25/2023	0.2	Correspond via email with counsel for all parties requesting consent to NKD's Fourth Amended Answer, Counterclaims, and Cross Claims and Consent Order for entry of same	\$295.00	\$59.00
NMT	5/26/2023	0.3	File proposed consent order regarding 4th amended answer and counterclaim	\$125.00	\$37.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	5/26/2023	3.5	Prepare index of potential deposition exhibits; prepare deposition transcript notebooks; complete timeline of events	\$125.00	\$437.50
BHJ	5/30/2023	0.2	Conference regarding deposition prep of Karl Haslinger and Nick Leventis; documents to review and provide clients	\$295.00	\$59.00
ERL	5/31/2023	6.6	Prepare with Mr. Haslinger and Mr. Leventis for depositions; review of documents and verify damage calculations; identify issues to be addressed during deposition	\$350.00	\$2,310.00
BHJ	5/31/2023	0.3	Update draft of NKD interim damages calculation in preparation of producing supplemental discovery response regarding same	\$295.00	\$88.50
BHJ	5/31/2023	0.6	Review email production of NKD to locate and confirm first initial notice provided by Mr. Leventis to ATC of cracking with roadways	\$295.00	\$177.00
BHJ	5/31/2023	0.1	Follow up via email with counsel for ATC regarding status of production of John Henderson's physical file maintained in office	\$295.00	\$29.50
BHJ	5/31/2023	0.3	Conference regarding calculating total payments made to ATC Site Construction; review ledgers provided by Barb & Associates to back up calculations	\$295.00	\$88.50
AGC	5/31/2023	0.4	Create spreadsheet of NKD's payments to ATC	\$125.00	\$50.00
BHJ	6/5/2023	0.2	Conference regarding upcoming deposition of client Karl Haslinger and tasks to complete for preparation for same	\$295.00	\$59.00
BHJ	6/5/2023	2.8	Review deposition transcript of John Henderson of ATC in preparation of upcoming deposition of client Karl Haslinger; notate pertinent excerpts for discussion with Mr. Haslinger in advance of deposition	\$295.00	\$826.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	6/5/2023	1.0	Review/analyze AIA Contract with ATC in preparation of upcoming deposition of client Karl Haslinger; notate pertinent provisions for discussion and preparation with Mr. Haslinger in advance of deposition	\$295.00	\$295.00
BHJ	6/5/2023	1.0	Review of expert reports produced by ATC and NKD in preparation of deposition of client Karl Haslinger; notate pertinent excerpts from reports regarding repair scope for discussion and preparation with Mr. Haslinger in advance of deposition	\$295.00	\$295.00
BHJ	6/5/2023	2.0	Prepare detailed memorandum for client Karl Haslinger to review in advance of deposition with breakdown of (i) liability theories as to ATC, Geo-Systems, and Gearig; (ii) pertinent provisions from AIA Contract with ATC; (iii) opinions on repair scope by expert witnesses; and (iv) damages sought by NKD; provide to Ms. Haslinger via email along with copy of prior affidavit executed by John Henderson regarding Change Order #11	\$295.00	\$590.00
NMT	6/5/2023	0.2	Confirmation emails with all parties regarding deposition of Karl Haslinger; email to Karl Haslinger confirming the same	\$125.00	\$25.00
ERL	6/6/2023	8.5	Assemble materials for client meeting; meet with Mr. Haslinger and Mr. Leventis to prepare for deposition; attend and conduct deposition of Mr. Haslinger; discussion of strategy and next steps	\$350.00	\$2,975.00
BHJ	6/7/2023	0.5	Conference following deposition of client Karl Haslinger to discuss action items and task list for remaining discovery and mediation	\$295.00	\$147.50
BHJ	6/7/2023	0.2	Telephone call and email with counsel for Gearig regarding Gearig's responses to NKD's discovery requests	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	6/7/2023	0.6	Telephone calls and correspond via email with counsel for ATC regarding logistics of mediation, depositions of ATC's expert and Jonathan Whitehead; conference regarding same	\$295.00	\$177.00
BHJ	6/14/2023	0.3	Review/analyze Gearig's Answer to ATC's pleading filed with Court	\$295.00	\$88.50
BHJ	6/15/2023	0.2	Conference regarding logistics for deposition of ATC's expert witness, discovery responses outstanding from Gearig Civilworks	\$295.00	\$59.00
ERL	6/19/2023	0.4	Tasks and conferences relating to witnesses and depositions	\$350.00	\$140.00
NMT	6/19/2023	1.8	Emails with Skye Henderson regarding depositions; draft Notice of Deposition; draft correspondence relating to deposition; serve notice of deposition; schedule court reporter; draft subpoena to Rimkus Consulting Group and correspondence regarding the same to the Rimkus Consulting Group; email Jeanne Lyles regarding mediation	\$125.00	\$225.00
NMT	6/20/2023	0.2	Email to all parties regarding second subpoena to Rimkus Consulting	\$125.00	\$25.00
BHJ	6/22/2023	0.2	Correspond via email with counsel for ATC regarding status of ATC's outstanding responses to NKD's supplemental discovery requests and request to retrieve/produce John Henderson's personal file related to River Shoals	\$295.00	\$59.00
NMT	6/26/2023	0.6	Receive and process deposition transcript of Karl Haslinger; email transcript to clients; create dropbox and send transcript Steve Moore; email transcript to Steve Riley	\$125.00	\$75.00
ERL	6/28/2023	1.1	Prepare for call with expert witnesses (Mike Barb and Steve Riley); conduct call regarding damages	\$350.00	\$385.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	6/30/2023	0.7	Draft Motion to Compel to file against ATC related to ATC's failure to produce: (i) personal physical file of John Henderson; and (ii) responses to NKD's Supplemental Interrogatories and Requests for Production	\$295.00	\$206.50
NMT	7/1/2023	0.3	Finalize Fourth Amended Answer and Counterclaims and exhibits for filing	\$125.00	\$37.50
BHJ	7/3/2023	0.7	Finalize draft of Motion to Compel with exhibits to file with Court against ATC Site Construction related to NKD's Supplemental Discovery Requests	\$295.00	\$206.50
BHJ	7/3/2023	0.4	Finalize draft of NKD's Amended Answer, Counterclaims, and Third Party Claims for filing with Court	\$295.00	\$118.00
NMT	7/3/2023	0.8	Finalize and ECF file Amended Answer and Counterclaim and Motion to Compel	\$125.00	\$100.00
BHJ	7/11/2023	0.1	Additional correspondence via email with counsel for Gearig Civilworks regarding status of Gearig's discovery responses	\$295.00	\$29.50
BHJ	7/11/2023	0.1	Conference regarding deposition of ATC Site Construction's expert witness, Mark Rhodes	\$295.00	\$29.50
BHJ	7/13/2023	0.2	Conference regarding potential mediators and mediator selection	\$295.00	\$59.00
NMT	7/13/2023	0.3	Emails with all parties and Bill Lyles office regarding mediation scheduling	\$125.00	\$37.50
BHJ	7/14/2023	0.1	Receipt and review of ATC Site Construction's Notice of Deposition of Nick Leventis as served by counsel for ATC via email	\$295.00	\$29.50
NMT	7/14/2023	0.3	Review of emails from all parties regarding mediation; email and telephone call to John Cuttino's office regarding the same	\$125.00	\$37.50
BHJ	7/17/2023	0.2	Correspond via email with counsel for ATC Site Construction regarding expert discovery and depositions	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	7/17/2023	0.2	Correspond via email with counsel for Gearig Civilworks regarding request for 30(b)(6) deposition of Gearig and status of Gearig's outstanding discovery responses	\$295.00	\$59.00
NMT	7/17/2023	0.4	Email to Rimkus regarding deposition prepayment and change in location; emails regarding September mediation	\$125.00	\$50.00
BHJ	7/18/2023	0.2	Phone call and email with counsel from ATC Site Construction regarding ATC's recent Answer to NKD's Counter Claims	\$295.00	\$59.00
NMT	7/24/2023	0.3	Emails with all parties regarding mediation dates	\$125.00	\$37.50
NMT	7/25/2023	1.2	Emails with all parties regarding mediation; email to clients regarding mediation date; email to mediator to place a hold on September 27; emails to Susan Leitner, Steve Moore, and Chip Bruorton regarding depositions; review of file for information on additional deponents listed	\$125.00	\$150.00
NMT	7/26/2023	0.2	Email with John Cuttino and Jeanne Lyles regarding mediation dates	\$125.00	\$25.00
ERL	7/27/2023	0.4	Confer with Mr. Haslinger regarding status and strategy	\$350.00	\$140.00
NMT	7/27/2023	0.6	Emails with Ellis Lesemann, Ben Joyce, and Chad Brounorton regarding deposition parameters; emails with Skye Kinder and Trippett Boineau regarding mediation ; review court roster	\$125.00	\$75.00
BHJ	7/28/2023	0.4	Conference regarding remaining discovery items and depositions	\$295.00	\$118.00
BHJ	7/28/2023	0.2	Review/analyze Answer to NKD's Third-Party Complaint filed on behalf of Gearig Civilworks	\$295.00	\$59.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	7/28/2023	2.7	Meeting with Ellis Lesemann to discuss strategy, depositions, mediation, and case needs; texts with Nick Leventis regarding schedule; email to court regarding trial roster; emails with mediator regarding new dates; email to Rimkus regarding deposition of Mark Rhodes and location change	\$125.00	\$337.50
NMT	7/31/2023	0.5	Review emails from all counsel and court; review updated roster and ensure NKD has been removed; update calendar to reflect the same; email to all counsel regarding roster and potential mediation dates	\$125.00	\$62.50
NMT	8/1/2023	0.8	Draft Amended Notice of Deposition of Mark Rhodes; emails to all counsel regarding mediation dates in November; email to Skye regarding depositions they wish to schedule; serve notice of deposition of Mark Rhodes; email Chad Bruorton regarding deposition and schedule call regarding the same	\$125.00	\$100.00
BHJ	8/2/2023	0.2	Additional correspondence via email with counsel for ATC regarding deposition of ATC expert witness, Mark Rhodes	\$295.00	\$59.00
NMT	8/2/2023	0.9	Email with all counsel regarding mediation scheduling; email clients regarding the same; email Barbara Gonzalez regarding amended notice of deposition for Mark Rhodes; email Garber court reporting to cancel Rhodes deposition in Columbia; email Huseby court reporting to schedule Rhodes deposition in Atlanta; telephone call to Susan Leitner regarding deposition; draft letter with amended Notice of Deposition to mail to opposing counsel	\$125.00	\$112.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	8/3/2023	0.7	Confer with Mr. Broun regarding recent developments and status of case; anticipated issues of discussion during upcoming testimony and related items	\$350.00	\$245.00
BHJ	8/10/2023	0.2	Finalize Second Amended Notice of Deposition of Mark Rhodes and Letter serving same to counsel for all parties	\$295.00	\$59.00
NMT	8/10/2023		Rimkus Consulting Group Invoice: Retainer for deposition of Plaintiff's expert, Mark Rhodes	\$125.00	\$0.00
NMT	8/10/2023	0.4	Create category in Nextpoint for Mark Rhodes' deposition and begin review for potential exhibits	\$125.00	\$50.00
NMT	8/14/2023	3.5	Review and convert Henderson deposition in preparation for Rhodes deposition; deposition preparation	\$125.00	\$437.50
BHJ	8/15/2023	0.2	Telephone call from counsel for ATC Site Construction regarding upcoming deposition of ATC expert Mark Rhodes	\$295.00	\$59.00
NMT	8/15/2023	0.9	Telephone call from Trippet regarding Rhodes deposition; review calendar and send email to team regarding potential new dates and strategy; emails to Liz Davidson regarding rescheduling and remaining depositions; continue deposition prep	\$125.00	\$112.50
NMT	8/16/2023	0.5	Deposition scheduling emails	\$125.00	\$62.50
NMT	8/17/2023	0.2	Emails with Cameron Stephenson regarding the deposition of Travis Gearig	\$125.00	\$25.00
NMT	8/18/2023	0.8	Draft Third Amended Notice of Deposition for Mark Rhodes; draft notice of deposition for Travis Gearig; serve all notices of deposition via email; schedule court reporter	\$125.00	\$100.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	8/21/2023	0.5	Confer with Mr. Leventis; reschedule deposition due to injury; confer with opposing counsel regarding scheduling issues affecting depositions and circumstances relating to Zane Abernathy	\$350.00	\$175.00
BHJ	8/21/2023	0.3	Conference regarding remaining depositions in case to complete prior to mediation	\$295.00	\$88.50
NMT	8/21/2023	1.5	Prepare for deposition of Nick Leventis before receiving notice of cancellation; create calendars of September and October and send to all parties in attempts to facilitate in scheduling remaining depositions	\$125.00	\$187.50
NMT	8/28/2023	0.2	Emails with Skye Kinder regarding deposition of Mark Rhodes and various other depositions	\$125.00	\$25.00
BHJ	9/5/2023	0.1	Correspond via email with counsel for Geo-Systems regarding deposition of ATC's expert witness Mark Rhodes	\$295.00	\$29.50
NMT	9/6/2023	0.2	Telephone call with Nick Leventis regarding rock blasting and depositions; email to Ellis Lesemann regarding the same	\$125.00	\$25.00
NMT	9/8/2023	0.2	Emails regarding depositions of Nick Leventis to Sky Kinder	\$125.00	\$25.00
NMT	9/14/2023	0.2	Emails with Sky Kinder regarding depositions	\$125.00	\$25.00
NMT	9/15/2023	0.5	Draft Deposition Notice for Mark Rhodes; emails with all parties regarding the same; email to Court reporter	\$125.00	\$62.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	9/19/2023	0.9	Emails with Karl Halsinger and Nick Leventis regarding scheduling depositions and mediation; review of calendar for potential alternative dates due to Mr. Leventis' daughters wedding; telephone call Nick Leventis and subsequent conversation with Ellis Lesemann regarding the same	\$125.00	\$112.50
NMT	9/21/2023	2.5	Review and organization of files to prepare for depositions and mediation	\$125.00	\$312.50
NMT	9/22/2023	4.5	Review and organization of files in preparation of depositions and mediation; draft index of all relevant documents that could be used as potential exhibits	\$125.00	\$562.50
NMT	9/24/2023	1.5	Complete index and identification of exhibits for depositions	\$125.00	\$187.50
NMT	9/25/2023	4.5	Deposition preparation for Mark Rhodes;	\$125.00	\$562.50
ERL	9/26/2023	3.5	Prepare for deposition of Mark Rhodes	\$350.00	\$1,225.00
NMT	9/26/2023	6.5	Confirm deposition of Mark Rhodes with all parties and court reporter; continue to identify exhibits and prepare for deposition; outline issues with Rhodes report	\$125.00	\$812.50
ERL	9/27/2023	7.8	Prepare for deposition of Mark Rhodes; conduct deposition	\$350.00	\$2,730.00
NMT	9/27/2023	2.9	Prepare for Travis Gearig deposition	\$125.00	\$362.50
BHJ	9/28/2023	3.5	Plan and prepare for upcoming deposition of Travis Gearig of Defendant Gearig Civilworks	\$295.00	\$1,032.50
NMT	9/28/2023	4.5	Prepare for Travis Gearig Deposition; identify exhibits for deposition; draft deposition outline; participate in client update meeting; schedule depositions for Nick Leventis, Steve Moore	\$125.00	\$562.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/29/2023	1.2	Continued preparation for deposition of Travis Gearig of Defendant Gearig Civilworks; revise outline of proposed questions and review/analysis of proposed exhibits	\$295.00	\$354.00
BHJ	9/29/2023	3.9	Conduct deposition of Travis Gearig of Defendant Gearig Civilworks	\$295.00	\$1,150.50
NMT	9/29/2023	0.9	Identify additional exhibit for deposition of Travis Gearig and send to Ben Joyce for use in deposition; emails and telephone calls with Skye Kinder regarding depositions; send DocuSign to Nick Leventis for Bruorton deposition; send email confirming deposition of Nick Leventis	\$125.00	\$112.50
NMT	10/2/2023	0.8	Review files and exhibits returned from depositions and organize in preparation of Nick Leventis deposition	\$125.00	\$100.00
NMT	10/3/2023	1.5	Identify exhibits used in Gearig and Rhodes deposition; update exhibit list and prepare for Nick Leventis deposition	\$125.00	\$187.50
NMT	10/9/2023	0.8	Email to Nick Leventis regarding materials for deposition prep; review drobox for items previously shared with client; begin identifying materials via Nextpoint search for emails from Nick Leventis	\$125.00	\$100.00
BHJ	10/11/2023	0.2	Conference regarding upcoming deposition of client Nick Leventis	\$295.00	\$59.00
NMT	10/11/2023	6.5	Review all emails in preparation of Nick Leventis deposition; identify and pull emails from Nick Leventis and create indexed binder of the same; add additional exhibits to master exhibit list	\$125.00	\$812.50
NMT	10/12/2023	2.5	Review deposition of Mark Rhodes and highlight appropriate sections to assist in preparing Nick Leventis for deposition; telephone call with Nick Leventis regarding deposition preparation	\$125.00	\$312.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	10/24/2023	1.0	Send DocuSign for Chad Bruorton deposition to Nick Leventis; email to Steve Moore regarding deposition; email to Chad Bruorton regarding deposition; emails from Mike Huffstetler and Nick Leventis regarding Bruorton engagement ; discussions with legal team regarding remaining depositions	\$125.00	\$125.00
NMT	10/26/2023	0.5	Schedule Zoom call with Steve Moore; email to Trippett Bouineau regarding retainer for Chad Bruorton Deposition	\$125.00	\$62.50
ERL	10/31/2023	0.8	Confer with Mr. Leventis regarding status and deposition; coordinate with all counsel regarding scheduling	\$350.00	\$280.00
NMT	10/31/2023	1.1	Emails with all counsel regarding depositions and docket new deposition dates; review of previous production and responses to discovery requests to determine additional production needed	\$125.00	\$137.50
ERL	11/1/2023	1.6	Prepare for call; conduct Zoom meeting with Mr. Moore in order to prepare for upcoming deposition; confer with Mr. Leventis regarding same	\$350.00	\$560.00
BHJ	11/1/2023	0.1	Correspond via email with counsel for ATC regarding status of outstanding discovery responses of ATC	\$295.00	\$29.50
BHJ	11/1/2023	1.0	Review and assemble emails between parties related to substantial completion and Geosystems geotechnical report; correspond via email with expert witness Steve Moore regarding same in preparation for his upcoming deposition	\$295.00	\$295.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/2/2023	5.0	Revise and update draft of detailed timeline and summary of events related to River Shoals from late 2020 - early 2022 to assist with (i) liquidated damages analysis, (ii) preparation for upcoming depositions of Nick Leventis, (iii) preparation for upcoming deposition of expert witness Steve Moore, and (iv) mediation	\$295.00	\$1,475.00
BHJ	11/2/2023	0.9	Participate in conducting conference call with Steve Riley at Barb & Associates regarding damages analysis for upcoming mediation	\$295.00	\$265.50
NMT	11/3/2023	0.6	Revise timeline of events; draft email/memorandum regarding timeline on mechanic's lien reduction and posting of cash bond	\$125.00	\$75.00
ERL	11/6/2023	0.6	Confer with Ms. Mungo regarding NKD litigation and related issues	\$350.00	\$210.00
NMT	11/6/2023	0.8	Organize Zoom meeting with Steve Moore; emails and telephone calls with Steve Moore regarding deposition; telephone call with Nikole Mergo regarding Nick Leventis deposition; emails with all parties regarding depositions; telephone calls and emails with Richland County regarding FOIA request for approvals and permits	\$125.00	\$100.00
ERL	11/7/2023	0.4	Confer with Mr. Haslinger regarding depositions and damage calculations	\$350.00	\$140.00
ERL	11/7/2023	1.3	Prepare for call with Steve Moore; conduct call with Steve Moore to prepare for expert deposition	\$350.00	\$455.00
ERL	11/8/2023	6.3	Attend and conduct deposition of Steve Moore, PE; confer with Mr. Haslinger regarding mediation and related issues	\$350.00	\$2,205.00
ERL	11/8/2023	2.5	Meet with Mr. Leventis and Ms. Mergo to discuss case and prepare for deposition	\$350.00	\$875.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	11/8/2023	2.5	Revise all exhibits in system to match exhibit notebook indices; communications with Liz Davidson at MGC for exhibits for Steve Moore deposition	\$125.00	\$312.50
NMT	11/9/2023	1.8	Emails with Sky Kinder regarding mediation address and confirmation; email Nikole Mergo regarding mediation and email link to important documents; confer with Benjamin Joyce regarding mediation needs; receive court notice regarding trial roster; review roster and reach out to other parties on roster to determine if trial will move forward on December 4; review discovery responses for disclosure of Steve Riley and additional information to be supplemented prior to trial if mediation unsuccessful; create and circulate zoom for meeting with Steve Riley damages expert	\$125.00	\$225.00
ERL	11/10/2023	8.1	Attend and conduct deposition of Mr. Leventis; confer with Mr. Haslinger regarding status; confer with Ms. Mergo regarding status	\$350.00	\$2,835.00
NMT	11/10/2023	0.5	Email legal team regarding trial roster position and status; assist with exhibits for Nick Leventis Deposition	\$125.00	\$62.50
ERL	11/11/2023	2.5	Prepare for mediation; assemble presentation; review brief for mediator	\$350.00	\$875.00
BHJ	11/14/2023	0.1	Additional correspondence via email with Susan Leitner and Richard Young regarding depositions of Ms. Leitner and Mr. Young	\$295.00	\$29.50
NMT	11/14/2023	0.3	Communications from Ellis Lesemann regarding additional exhibits and coordinate production and delivery of the same	\$125.00	\$37.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/15/2023	0.3	Correspond via email with counsel for ATC Site Construction and other Defendants regarding depositions of Susan Leitner, Richard Young, Scott Moore, Stephen Staley, and Chad Bruorton	\$295.00	\$88.50
BHJ	11/16/2023	0.2	Additional correspondence via email with Susan Bell Leitner and Richard Young confirming upcoming depositions and conference call to prepare for same	\$295.00	\$59.00
BHJ	11/16/2023	0.4	Prepare/finalize draft of subpoena to Steve Ackerman (Ackerman Consulting Engineers) for copy of entire file and physical core samples and letter serving same to Mr. Ackerman	\$295.00	\$118.00
AGC	11/16/2023	0.4	Draft cover letter and subpoena to Ackerman Consulting Engineers; prepare Exhibits A and B to subpoena; prepare certificate of authenticity; email subpoena and cover letter to Mr. Ackerman; email subpoena and cover letter to opposing counsel	\$125.00	\$50.00
BHJ	11/17/2023	0.1	Receipt and review of Motion for Continuance from Trial Roster filed by ATC Site Construction	\$295.00	\$29.50
BHJ	11/17/2023	0.1	Receipt and review of Motion for Summary Judgment filed by Gearig Civilworks as to ATC's Third Party Claims	\$295.00	\$29.50
BHJ	11/20/2023	0.2	Return telephone call from counsel for Gearig Civilworks regarding Gearig's interest in resuming settlement negotiations following mediation, inquiry of potential global demand to all parties by NKD	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/20/2023	2.0	Review and analysis of invoices from Carolina Contracting to break down utility vs. road related costs; draft email to Scott at Carolina Contracting regarding same; conduct phone call with Scott at Carolina Contracting regarding same and confirm amounts of utility vs. road related costs from Carolina Contracting	\$295.00	\$590.00
BHJ	11/20/2023	0.8	Begin preparation of NKD's damages breakdown and post mediation global settlement demand to send to all parties and mediator John Cuttino	\$295.00	\$236.00
BHJ	11/21/2023	0.7	Continued preparation of NKD's damages breakdown and review/analysis of underlying back up documentation to support same	\$295.00	\$206.50
AGC	11/21/2023	0.3	Telephone call with Mr. Ackerman regarding cement soil samples and production of documents in response to subpoena; email to Mr. Ackerman requesting he provide a list of sources upon which he relied in lieu of providing documents	\$125.00	\$37.50
BHJ	11/22/2023	0.1	Receipt and review of Gearig's Second Set of Interrogatories regarding NKD's SCUTPA claim	\$295.00	\$29.50
BHJ	11/22/2023	0.3	Receipt and review of ATC's supplemental discovery responses with production of B&K Grading and Paving, LLC's proposal dated October 23, 2023 for road repair cost	\$295.00	\$88.50
ERL	11/27/2023	0.7	Confer with Ms. Leitner and Mr. Young	\$350.00	\$245.00
BHJ	11/27/2023	0.2	Correspond via email with counsel for ATC regarding status of ATC's outstanding responses to NKD's supplemental discovery requests	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/27/2023	2.8	Plan and prepare for upcoming depositions of Susan Bell Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore); draft outline for deposition preparation conference with Ms. Leitner and Mr. Young and assemble potential exhibits to review with Ms. Leitner and Mr. Young	\$295.00	\$826.00
BHJ	11/27/2023	0.9	Conduct deposition preparation phone conference with Susan Bell Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore) in advance of upcoming depositions of Ms. Leitner and Mr. Young; correspond via email following conference and provide Ms. Leitner and Mr. Young with pertinent records for review in advance of depositions	\$295.00	\$265.50
BHJ	11/27/2023	0.1	Correspond via email with counsel for all parties regarding deposition of Steve Ackerman, Susan Bell Leitner, and Richard Young	\$295.00	\$29.50
NMT	11/27/2023	1.5	Review LG Utilities production and previously produced materials for deposition exhibits and preparation; draft index regarding the same; assist Benjamin H. Joyce with conference call to prepare deponents; emails with all parties regarding future depositions	\$125.00	\$187.50
BHJ	11/28/2023	3.7	Conduct deposition of Susan Bell Leitner of LG Utility Contractors in Columbia, SC at office of counsel for ATC Site Construction	\$295.00	\$1,091.50
BHJ	11/28/2023	0.3	Draft Supplemental Answer to ATC's Interrogatories identifying David Crapps of LG Utility Contractors as additional witness who can testify as to defective site conditions and sewer line repair work completed	\$295.00	\$88.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/28/2023	0.1	Correspond via email with counsel for ATC Site Construction regarding ATC's request to take deposition of David Crapps of LG Utility Contractors	\$295.00	\$29.50
BHJ	11/29/2023	3.5	Conduct deposition of Richard Young of Carolina Tap & Bore in Columbia, SC at office of counsel for ATC Site Construction	\$295.00	\$1,032.50
BHJ	11/29/2023	0.1	Finalize Supplemental Answer to ATC's Interrogatories identifying David Crapps of LG Utility Contractors as additional witness and letter serving same to counsel for all Defendants	\$295.00	\$29.50
NMT	11/29/2023	1.4	Draft letter to serve discovery responses; finalize and serve supplemental discovery responses; emails with all counsel regarding depositions; email with Trippett Bonneau regarding SME agreement and deposition	\$125.00	\$175.00
BHJ	11/30/2023	0.2	Correspond via email with Steve Ackerman of Ackerman Consulting Engineers regarding subpoena response and deposition request	\$295.00	\$59.00
NMT	12/1/2023	0.3	Emails with all counsel regarding Chad Bruorton Deposition'; telephone call with Skye Kinder regarding Chad Bruorton Deposition	\$125.00	\$37.50
NMT	12/4/2023	0.3	Emails with Liz Davidson and Myra Rutland regarding Chad Bruorton deposition; email to Chad Bruorton regarding the same	\$125.00	\$37.50
NMT	12/5/2023	0.9	Email from Liz Davidson regarding deposition of Chad Bruorton; docket deposition details; email to Chad Bruorton regarding deposition notice; draft answer to Gearig's supplemental discovery requests	\$125.00	\$112.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	12/6/2023	3.4	Email Myra Rutland regarding deposition of Mr. Staley and docket the same; receive and download Nick Leventis deposition transcript; email Myra Rutland and Liz Davidson regarding Ackerman subpoena response; receive and download Ackerman subpoena response and cursory review of the same; draft answers to Gearig supplemental discovery requests; draft answers to Gearig interrogatories and requests for production; review of documents to include in supplemental production	\$125.00	\$425.00
NMT	12/11/2023	2.1	Emails and telephone calls with Richland County regarding lack of FOIA response; confirm Chad Bruorton deposition; prepare materials for deposition; update exhibit books for NKD	\$125.00	\$262.50
ERL	12/12/2023	3.7	Prepare for and conduct deposition of Chad Bruorton	\$350.00	\$1,295.00
NMT	12/12/2023	0.4	Receive supplemental interrogatories and docket response to the same; review of missing information and outstanding motions that need to be resolved to push matter forward	\$125.00	\$50.00
BHJ	12/13/2023	0.2	Phone call with former Gearig employee David Leehy regarding deposition request and prior subpoena response served by Gearig	\$295.00	\$59.00
NMT	12/14/2023	1.5	Receive and review FOIA response from Richland County and note deficiencies and note needs for additional items to request	\$125.00	\$187.50
BHJ	12/15/2023	0.1	Telephone call from counsel for ATC regarding recent Requests for Admission served by ATC related to mechanics lien issues	\$295.00	\$29.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	12/15/2023	0.3	Emails with Denique Brooks at Richland County Ombudsman's office and amend FOIA to include everything Richland County Engineering Department and Planning Department would have in file from January 2022 through the present date	\$125.00	\$37.50
NMT	1/2/2024	1.6	Review Steve Ackerman Subpoena response and review Ackerman invoice; send email to Myra Rutland concerning the discrepancies in Mr. Ackerman's invoice and what was produced; revise and update Responses to Requests to Admit and Answers to Interrogatories; review supplemental discovery requests and email clients regarding the same	\$125.00	\$200.00
NMT	1/2/2024	1.8	Identify and prepare potential exhibits for Steve Staley deposition to include review of previously produced documents	\$125.00	\$225.00
NMT	1/3/2024	0.2	Emails with Myra Rutland regarding Ackerman subpoena response	\$125.00	\$25.00
NMT	1/4/2024	3.8	Review of all production for communications and references to Stephen Staley in preparation of deposition; draft deposition outline	\$125.00	\$475.00
NMT	1/5/2024	4.1	Finalize outline for Stephen Staley deposition; prepare all exhibits for deposition	\$125.00	\$512.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/9/2024	1.5	Receive email from Trippett Boineau regarding cancellation of Stephen Staley's deposition and remove from schedule; email to Steve Ackerman regarding discrepancies in billing and production of subpoena response; email with Paul Greathouse regarding date certain procedure; review of internal calendars and judge rosters to determine preference for weeks for date certain; email team with the same	\$125.00	\$187.50
ERL	1/10/2024	0.4	Confer with Mr. Haslinger regarding status; communications with opposing counsel regarding potential date certain	\$350.00	\$140.00
NMT	1/12/2024	0.3	Emails with all parties regarding deposition of Stephen Staley; finalize and serve NKD's Responses to ATC's Requests for Admission	\$125.00	\$37.50
NMT	1/16/2024	0.2	Receive and review deposition notice for Stephen Staley and subpoena to Stephen Staley; confirm docketing and Zoom information	\$125.00	\$25.00
NMT	1/17/2024	0.2	Receive email from Garber Court reporting regarding Chad Bruorton deposition transcript and download the same; email deposition transcript to clients	\$125.00	\$25.00
NMT	1/19/2024	0.3	Email with Richland County Ombudsman Office regarding FOIA request; draft letter and check and FedEx the same to Richland County to receive FOIA response	\$125.00	\$37.50
NMT	1/23/2024	0.1	Emails with Skye Kinder regarding Stephen Staley deposition and Zoom information; docket the same	\$125.00	\$12.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/24/2024	2.2	Receive and review emails from Court regarding hearings on pending motions (x3); docket the same and docket deadlines for memorandums; review pleadings motions are based on; create litigation database and build documents to be used as exhibits at trial; organize documents to be produced;	\$125.00	\$275.00
NMT	1/25/2024	3.8	Review emails and files and compile documents for supplemental production; draft answers to interrogatories; draft answers to supplemental discovery requests; Draft supplemental answers to interrogatories; emails with Mike Barb and Karl Haslinger regarding information requested from opposing counsel	\$125.00	\$475.00
NMT	1/26/2024	1.5	Review of discovery produced to verify all production	\$125.00	\$187.50
BHJ	1/29/2024	0.4	Correspond via email with counsel for ATC regarding upcoming hearing on Motion to Compel against ATC and status of ATC's outstanding discovery responses, including John Henderson's personal physical file	\$295.00	\$118.00
NMT	1/29/2024	3.2	Receive and review ATC discovery responses and production; emails with Richland County Ombudsman's office regarding FOIA request and materials; meeting with team for trial preparation; draft supplemental discovery responses; telephone calls to 4 attorneys' offices to determine position on trial roster	\$125.00	\$400.00
ERL	1/30/2024	0.8	Status call with Ms. Mergo; settlement discussions with counsel for ATC	\$350.00	\$280.00
ERL	1/30/2024	0.6	Confer with Mr. Staley regarding upcoming deposition; confer with Ms. Mergo regarding status and upcoming events	\$350.00	\$210.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/30/2024	0.2	Correspond via email with counsel for Geo-Systems Testing & Design regarding Geo-Systems' Answers to Interrogatories served by NKD	\$295.00	\$59.00
NMT	1/30/2024	4.1	Review of materials needed for trial presentations, exhibits, and preparation and create order list; review of all filings and communications from Rett Kendall to address his questions regarding Motion for Status Conference; review and prepare exhibits from ATC for Stephen Staley deposition; revise Stephen Staley deposition outline; email Athena at Richland County Clerk of Court to request juror list; review documents for production, code and bates NKD 6371-6530; produce the same	\$125.00	\$512.50
BHJ	1/31/2024	0.2	Review trial subpoenas served by Geo-Systems Testing & Design; conference regarding trial subpoenas to be served on behalf of NKD to list of witnesses	\$295.00	\$59.00
BHJ	1/31/2024	0.2	Finalize Answer to Interrogatory on behalf of NKD identifying John Scott of Asphalt Paving & Maintenance and Letter serving same to opposing counsel	\$295.00	\$59.00
NMT	2/1/2024	2.9	Draft supplemental discovery responses identifying new witness in accordance with conversation with Asphalt Paving & Maintenance; finalize witness contact list; code and Bates label Richland County FOIA response; prepare for the deposition of Stephen Staley	\$125.00	\$362.50
BHJ	2/6/2024	0.2	Correspond via email with expert witness Steve Moore regarding equipment roster produced by ATC	\$295.00	\$59.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	2/6/2024	0.8	Review recent document production and discovery responses produced by ATC; correspond via email with counsel for ATC regarding same and NKD's Motion to Compel	\$295.00	\$236.00
NMT	2/6/2024	1.5	Receive email notifications and download newly filed pleadings; review emails from all parties regarding mediation, depositions, and trial (x20); draft subpoena and letter to B&K Paving;	\$125.00	\$187.50
BHJ	2/7/2024	0.5	Prepare for hearing before Court on NKD's Motion to Compel; Gearig and Geo-Systems Motions for Summary Judgment as to claims by ATC, review respective parties court filings and memorandums of law in support of Motions	\$295.00	\$147.50
NMT	2/7/2024	0.3	Finalize subpoena and letter to B&K Paving and serve the same	\$125.00	\$37.50
NMT	2/9/2024	0.3	Emails with all parties regarding mediation and docket the same	\$125.00	\$37.50
BHJ	2/13/2024	0.6	Conference regarding upcoming mediation and allocation of damages to parties for Carolina Contracting and Coogler Construction repair invoices	\$295.00	\$177.00
BHJ	2/13/2024	0.1	Follow up email to counsel for ATC regarding status of supplemental production of John Henderson personal file	\$295.00	\$29.50
NMT	2/13/2024	4.5	Receive, review and organize ATC's supplemental production in preparation of resumed mediation (850 pages); review file and organize previous notes; calculate damages for mediation; telephone call with Carolina Contracting to go through each line item of all invoices to determine if charge was related to sewer or road work	\$125.00	\$562.50
ERL	2/14/2024	0.7	Confer with Mr. Leventis regarding mediation, settlement strategy, and next steps	\$350.00	\$245.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	2/14/2024	2.6	Emails with all parties regarding Ackerman deposition (x4); emails regarding John Scott deposition (x2); continue review of ATC production; internet research on Jonathan Whitehead and email to Jonathan Whitehead	\$125.00	\$325.00
BHJ	2/15/2024	0.1	Conference regarding trial being heard through special referee as opposed to jury trial	\$295.00	\$29.50
BHJ	2/19/2024	0.2	Telephone calls to foreman and site contractors from Asphalt Paving & Maintenance regarding identifying as witnesses on behalf of NKD	\$295.00	\$59.00
NMT	2/19/2024	0.2	Emails with Skye Kinder and Robert Osborne regarding Ackerman Deposition	\$125.00	\$25.00
BHJ	2/20/2024	0.2	Correspond via email with counsel for Geo-Systems regarding (i) status of Geo-Systems Answers to Interrogatories and (ii) deposition of Steve Ackerman	\$295.00	\$59.00
BHJ	2/20/2024	0.3	Revise and finalize draft of Supplemental Answer to Interrogatory identifying Tripp Owings (Asphalt Paving & Maintenance) and James Rodgers (Carolina Contracting) as witnesses on behalf of NKD	\$295.00	\$88.50
BHJ	2/20/2024	0.2	Receipt and review of response to NKD subpoena provided by B & K Grading and Paving	\$295.00	\$59.00
NMT	2/20/2024	0.5	Revise and serve supplemental discovery responses; draft correspondence and email regarding the same to all counsel	\$125.00	\$62.50
NMT	3/1/2024	1.8	Follow up on deposition of representative from Asphalt Paving; receive and review proposed order from GeoSystems; telephone call to Skye Kinder regarding deposition of Steve Ackerman; emails with all parties regarding deposition of Steve Ackerman; Nextpoint search and review of potential exhibits for Ackerman deposition	\$125.00	\$225.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	3/4/2024	2.8	Plan and prepare for upcoming deposition of Steve Ackerman, ATC consulting expert engineer, review/analyze report and subpoena response materials and prepare draft of outline of questions for Mr. Ackerman	\$295.00	\$826.00
BHJ	3/4/2024	3.5	Appear for and conduct deposition of Steve Ackerman, ATC consulting expert engineer	\$295.00	\$1,032.50
NMT	3/4/2024	1.0	Prepare potential exhibits for Steve Ackerman deposition	\$125.00	\$125.00
BHJ	3/5/2024	0.2	Correspond via email with B & K Grading regarding response to subpoena served by NKD	\$295.00	\$59.00
NMT	3/5/2024	0.4	Review additional exhibit from Steve Ackerman deposition and update to include in trial exhibits; email to Celleste Mallet regarding Ackerman Subpoena response	\$125.00	\$50.00
NMT	3/11/2024	0.1	Review Invoices from S&ME and confirm charges	\$125.00	\$12.50
BHJ	3/15/2024	0.2	Phone call with Tripp Owings of Asphalt Paving & Maintenance regarding counsel for ATC's request to conduct deposition of representative from Asphalt Paving & Maintenance	\$295.00	\$59.00
NMT	3/20/2024	0.3	Online research regarding prior versions of Richland County Land Development Regulations	\$125.00	\$37.50
NMT	3/28/2024	0.3	Receive Ackerman deposition transcript and congruent file management	\$125.00	\$37.50
BHJ	4/1/2024	0.1	Receipt and review of email from general counsel for B & K Grading regarding B & K Grading Subpoena Response	\$295.00	\$29.50
NMT	4/12/2024	0.2	Emails with Skye Kinder regarding deposition of John Scott and pending removal to arbitration	\$125.00	\$25.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	4/25/2024	1.5	Save trial exhibit and update index regarding the same; revise and finalize answers to supplemental interrogatories; Arbitrator research and begin draft memo of the same	\$125.00	\$187.50
NMT	4/29/2024	2.5	Revise Answers to all interrogatories and discovery responses that have not been served to date; update excel workbook with discovery responses and insurance information for all parties	\$125.00	\$312.50
ERL	5/24/2024	0.3	Address issues with expert witness (Chad Bruorton)	\$350.00	\$105.00
ERL	6/20/2024	0.5	Tasks and conferences relating to arbitrator selection	\$350.00	\$175.00
BHJ	6/28/2024	0.3	Review mechanics lien and cash bond figures; correspond via email with Matthew Rupert and Karl Haslinger regarding same	\$295.00	\$88.50
NMT	7/2/2024	1.5	Compile potential witness list for arbitration from discovery responses; receive and review emails regarding arbitration; emails to potential witnesses for conflicts on arbitration dates	\$125.00	\$187.50
NMT	7/10/2024	0.3	Emails with all parties regarding arbitration and consent order	\$125.00	\$37.50
NMT	7/11/2024	0.2	Emails with all parties regarding arbitrators and consent order	\$125.00	\$25.00
NMT	7/22/2024	0.3	Emails from all parties regarding arbitration; docket arbitration status call	\$125.00	\$37.50
ERL	7/26/2024	0.8	Prepare for and conduct preliminary hearing with arbitrator	\$350.00	\$280.00
ERL	7/27/2024	0.4	Confirm witness availability for arbitration	\$350.00	\$140.00
NMT	8/7/2024	0.4	Receive and download SME Subpoena Response to MGC	\$125.00	\$50.00
NMT	8/12/2024	0.4	Receive subpoena response from ATC and import into Nextpoint	\$125.00	\$50.00
NMT	8/20/2024	0.2	Emails regarding hotel and arbitration contracts	\$125.00	\$25.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	8/27/2024	0.2	Reimport ATC SME Subpoena Response to correct errors in uploading	\$125.00	\$25.00
NMT	10/1/2024	0.3	Emails from Robert Osborne regarding deposition of Scott Moore; email with other parties regarding the same; docket potential dates	\$125.00	\$37.50
NMT	10/2/2024	1.2	Draft Consent Scheduling Order for Arbitration Deadlines	\$125.00	\$150.00
ERL	10/7/2024	0.8	Confer with opposing counsel; update call with Mr. Haslinger regarding witness availability, 30(b)(6) deposition, and settlement offer from Geo-Systems; provide client update; strategy for upcoming hearing	\$350.00	\$280.00
NMT	10/7/2024	0.1	Emails with Robert Osborne regarding deposition of Scott Moore and update calendar regarding the same	\$125.00	\$12.50
NMT	10/8/2024	0.1	Email from Robert Osborne and docket date for potential 30(b)(6) deposition of NKD	\$125.00	\$12.50
ERL	10/9/2024	1.7	Analysis of deposition of Mr. Leventis; prepare for Zoom call with counsel for Mr. Leventis; conduct meeting	\$350.00	\$595.00
ERL	10/9/2024	0.8	Develop hearing task list and organize preparations for upcoming hearing	\$350.00	\$280.00
NMT	10/9/2024	0.5	Meeting with Ellis Lesemann to prepare and create strategy and tasks lists for arbitration	\$125.00	\$62.50
NMT	10/14/2024	0.3	Review of emails from all counsel regarding 30(b)(6) deposition of NKD and arbitration; email to all counsel submitting signed arbitration agreement	\$125.00	\$37.50
ERL	10/16/2024	0.4	Preparation tasks for arbitration proceeding	\$350.00	\$140.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	10/16/2024	1.4	Tasks related to payment of arbitration deposit; review deadlines for briefs, witness lists, and other needs for arbitration; docket deadlines from Administrative Order; telephone calls and emails with Garber court reporting regarding availability for arbitration	\$125.00	\$175.00
NMT	10/18/2024	2.8	Review of file and NextPoint for documents and exhibits relevant to Scott Moore Deposition; create exhibits; emails with opposing counsel regarding deposition	\$125.00	\$350.00
NMT	10/20/2024	2.5	Finalize exhibits for deposition of Scott Moore; make deposition notebooks (x4); review of witnesses	\$125.00	\$312.50
ERL	10/21/2024	2.4	Prepare for deposition of Scott Moore; conduct deposition of Scott Moore	\$350.00	\$840.00
NMT	10/22/2024	0.3	Emails with Trippett Boineau and Rhett Kendle regarding arbitration logistics	\$125.00	\$37.50
NMT	10/23/2024	0.4	Begin anayzation of file and documents in preparation of deposition and meeting with client	\$125.00	\$50.00
NMT	10/24/2024	2.5	Telephone call with Karl Haslinger to confirm meeting for deposition prep; Research mechanic's lien issue; telephone call with Rob at Richland County Register of Deeds regardig the same; revise release of mechanic's lien; prepare exhibits; telephone call with Gayle at Harvey & Valini regarding same	\$125.00	\$312.50
NMT	10/24/2024	4.0	Depo prep	\$125.00	\$500.00
ERL	10/25/2024	5.1	Prepare for 30(b)(6) deposition of NKD	\$350.00	\$1,785.00
NMT	10/25/2024	1.2	Telephone calls with Celeste at Parker Poe and Veritext court reporting to obtain rough draft of deposition transcript of Scott Moore; emails from Rhett Kendall and Trippett Boinuea regarding subpoenas and witnesses; emails with all parties regarding fees for arbitration; exhibit books	\$125.00	\$150.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	10/28/2024	3.2	Prepare for 30(b) deposition of NKD; prepare outline of allegations; confer with Mr. Haslinger	\$350.00	\$1,120.00
NMT	10/28/2024	0.3	Update discovery index to reflect 30(b)(6) notices to NKD; email to Nicole Mergo regarding details for deposition	\$125.00	\$37.50
NMT	10/28/2024	0.6	Update exhibits with Sewer Test Results; email the same to Karl Haslinger; emails to Nicole M with deposition information; update damages chart	\$125.00	\$75.00
ERL	10/29/2024	8.9	Prepare for 30(b)(6) deposition; confer with Mr. Haslinger; conduct deposition and dismantle attempted arguments presented by other parties	\$350.00	\$3,115.00
NMT	10/29/2024	1.5	Potential exhibits and answer questions needed for deposition and arbitration	\$125.00	\$187.50
MAS	10/30/2024	6.6	Continue drafting NKD's Pre-Hearing Brief; continue review of client documents relating to scope of work and role of the parties associated with the project and the discovery and extent of defects; review relevant deposition testimony from witnesses in connection with NKD's claims	\$250.00	\$1,650.00
MAS	10/31/2024	2.7	Continue drafting Pre-Hearing Brief; conduct legal research relating to mechanic's lien statute; continue review of key documents in connection with factual background and claims	\$250.00	\$675.00
MAS	11/1/2024	6.1	Continue drafting NKD's Pre-Hearing Brief; continue review of deposition testimony from the witnesses in connection with the scope of work and defects involving the roadways and utilities	\$250.00	\$1,525.00
NMT	11/1/2024	1.5	Review deadlines under arbitration order; draft NKD's identification of witnesses and produce the same to all parties; review all parties identification of witnesses	\$125.00	\$187.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	11/1/2024	3	Summarize approximately 14 deposition transcripts with Westlaw CoCounsel AI feature and save to file for trial preparation	\$125.00	\$375.00
NMT	11/5/2024	3.5	Emails with Cameron Stephens and Myra Rutland regarding arbitration logistics; notify witnesses of arbitration dates and location; draft identification of exhibits; prepare 3 deposition notebooks with summaries	\$125.00	\$437.50
MAS	11/6/2024	5.2	Continue drafting NKD's Pre-Hearing Brief; review relevant provisions of Contract Documents relating to ATC's breaches; review transcript of deposition of Mark Rhodes relating to ATC's breaches and failures; conduct legal research relating to duty and standard of care in connection with negligence claims against ATC, Geo-Systems, and Gearig	\$250.00	\$1,300.00
NMT	11/6/2024	1.5	Exhibit List and emails with all parties regarding production of the same	\$125.00	\$187.50
MAS	11/7/2024	6.8	Continue drafting Pre-Hearing Brief; continue review of documents in the record relating to Defendants' involvement in defective roadways and utilities	\$250.00	\$1,700.00
NMT	11/7/2024	2.8	Exhibit list	\$125.00	\$350.00
MAS	11/9/2024	2.6	Continue drafting NKD's Pre-Hearing Brief; conduct legal research of South Carolina caselaw finding owner was justified in withholding payments to contractor and Mechanic's Lien statute; review NKD's 30(b)(6) deposition testimony relating to unfair trade practices and damages	\$250.00	\$650.00
ERL	11/11/2024	0.9	Prepare for call; conduct call with Hagen Leventis, Athena Leventis, and Nikole Mergo	\$350.00	\$315.00
MAS	11/11/2024	7.6	Continue drafting Pre-Hearing Brief; continue review of relevant testimony from 30(b)(6) Deposition of NKD	\$250.00	\$1,900.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	11/11/2024	3.2	Telephone call to Josh Rabon regarding certifications to DHEC; review supplemental loan records sent by client and bates label and produce the same; emails with all parties regarding exhibit lists; identify, gather, and label in order NKD's physical exhibits;	\$125.00	\$400.00
ERL	11/12/2024	6.5	Prepare and complete NKD's Pre-Hearing Brief and Exhibits	\$350.00	\$2,275.00
MAS	11/12/2024	8.2	Continue drafting Pre-Hearing Brief relating to NKD's claim for damages; assemble exhibits to to Brief; edit and revise Pre-Hearing Brief	\$250.00	\$2,050.00
NMT	11/12/2024	7.5	Prepare highlighted deposition excerpts for prehearing brief; assist with exhibits to prehearing brief; review ATC and Gearing exhibits for compilation in accordance with Order; emails with Myra Rutland regarding exhibits for arbitration; review document production for bates; review damages calculations for prehearing brief	\$125.00	\$937.50
AGC	11/12/2024	4	Cull references to deposition excerpts from Pre-Hearing Brief and create master list of references for purpose of making exhibit cover sheets; organize references to deposition excerpts chronologically for each deposition witness and eliminate duplicate references; create cover sheets exhibits; create exhibits of deposition excerpts for Pre-Hearing Brief; upload exhibits into Dropbox folder for sharing with arbitrators	\$125.00	\$500.00
ERL	11/13/2024	0.6	Confer with counsel for Civil Engineering of Columbia regarding conducting witness conference with Mr. Rabon	\$350.00	\$210.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	11/13/2024	5.9	Review Pre-Hearing Briefs submitted by ATC, Gearing, and Geo-Systems for arguments, legal authority, claims, and defenses; prepare outline and summary of issues raised in each Pre-Hearing Brief in advance of arbitration hearing; conduct legal research relating to delay damages and proof of damages for negligence claim	\$250.00	\$1,475.00
NMT	11/13/2024	9.5	Prepare Master Exhibit list, prepare for Arbitration; assemble Exhibit Books	\$125.00	\$1,187.50
ERL	11/14/2024	1.5	Develop and confirm schedule and sequence of NKD's witnesses	\$350.00	\$525.00
ERL	11/14/2024	0.6	Confer with witness sewer/utility witness David Craps	\$350.00	\$210.00
ERL	11/14/2024	0.7	Analysis of testimony of Steven Ackerman, PE	\$350.00	\$245.00
MAS	11/14/2024	8.6	Prepare direct examination outlines for Chad Bruorton, Richard Young, and Stephen Staley; review deposition testimony of each witness in connection with anticipated direct examination testimony	\$250.00	\$2,150.00
NMT	11/14/2024	7.5	Complete Master exhibit lists and exhibits	\$125.00	\$937.50
ERL	11/15/2024	0.8	Conduct Preliminary Hearing with Arbitration Panel	\$350.00	\$280.00
ERL	11/15/2024	0.6	Prepare for conference with Mr. Rabon and Mr. Pierce; conduct witness conference with Engineer of Record Josh Rabon	\$350.00	\$210.00
ERL	11/15/2024	1.7	Prepare for conference with Expert Witnesses Chad Brounorton and Steve Moore' conduct witness conference with Mr. Haslinger	\$350.00	\$595.00
ERL	11/15/2024	2.3	Prepare direct examination outlines for NKD witnesses	\$350.00	\$805.00
ERL	11/15/2024	0.6	Confer with counsel for ATC regarding sequence of proceeding, liquidated damages, and settlement status	\$350.00	\$210.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	11/15/2024	0.5	Prepare and finalize exhibit list	\$350.00	\$175.00
MAS	11/15/2024	4.2	Continue drafting direct examination outline for Chad Bruorton; prepare direct examination outlines for Scott Moore; review deposition testimony of each witness in connection with anticipated direct examination testimony	\$250.00	\$1,050.00
NMT	11/15/2024	6.0	Prepare for arbitration	\$125.00	\$750.00
ERL	11/16/2024	4.9	Prepare for arbitration; assemble examinations and opening statement; hearing strategy; review of expert reports and depositions	\$350.00	\$1,715.00
ERL	11/17/2024	11.8	Prepare for arbitration; conferences with Mr. Haslinger; prepare direct and cross examination outlines; prepare demonstratives; finalize damage summaries; review exhibits and evidence; prepare opening statement and visual presentations	\$350.00	\$4,130.00
MAS	11/17/2024	8.1	Prepare direct examination outlines for Karl Haslinger and Stephen Moore; review joint exhibits and incorporate references to joint exhibits into direct examination outlines; conduct legal research relating to liquidated damages	\$250.00	\$2,025.00
ERL	11/18/2024	9.4	Prepare for arbitration; confer with Mr. Haslinger	\$350.00	\$3,290.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	11/18/2024	8.3	Prepare Master Exhibit List Index with description of relevant information contained in Arbitration Exhibits 1 - 190; review Contract Documents relating to additional obligations and available remedies for breach; continue drafting brief relating to liquidated damages as non-exclusive remedy; review transcript of deposition of Nick Leventis and draft NKD's counter-designation of deposition testimony; conduct legal research of South Carolina law relating to damages recoverable for negligence not arising out of a contractual obligation	\$250.00	\$2,075.00
NMT	11/18/2024	3.1	Arbitration preparations; assist with TrialPad and Demonstratives	\$125.00	\$387.50
ERL	11/19/2024	15.5	Prepare for and conduct first day of arbitration; prepare for second day of arbitration	\$350.00	\$5,425.00
ERL	11/20/2024	12.1	Prepare for second day of arbitration; conduct second day of arbitration; direct and redirect examinations of Josh Rabon, Richard Young, David Craps, Steve Moore; prepare for third day of arbitration	\$350.00	\$4,235.00
ERL	11/21/2024	13.7	Conduct third day of Arbitration; examination of Scott Moore, Steven Ackerman, Mark Rhodes, and Chris Coogler	\$350.00	\$4,795.00
MAS	11/21/2024	0.5	Prepare NKD's designation of testimony from the deposition of Stephen Staley; review Pre-Hearing Brief for references to relevant portions of Mr. Staley's deposition to be designated; draft email correspondence to counsel of record relating to NKD's Designation	\$250.00	\$125.00
NMT	11/21/2024	1.0	Review document production and emails for August 2, 2021 letter to ATC	\$125.00	\$125.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
ERL	11/22/2024	11.1	Prepare for fourth day of arbitration; conduct cross examination of John Henderson, cross examination of Bob Jennings, cross examination of Joe Smith, and rebuttal testimony of Mr Haslinger	\$350.00	\$3,885.00
ERL	11/25/2024	0.9	Conduct Post-Hearing Conference with Arbitration Panel and opposing counsel	\$350.00	\$315.00
ERL	11/25/2024	0.4	Confer with Mr. Haslinger regarding status and strategy	\$350.00	\$140.00
NMT	11/25/2024	3.1	Create exhibit of deposition designations of Steven Staley; Emails and telephone calls with court reporter and Celeste at Parker Poe regarding exhibits and transcript; create sharefile for court reporter including new exhibits introduced at trial; emails with Hotel to collect all invoices and receipts; draft memo/email to Alden Stair dividing expenses between parties	\$125.00	\$387.50
ERL	11/26/2024	0.7	Provide updates to Ms. Mergo, Ms. Leventis, and Mr. Haslinger; analysis and strategy for post-hearing briefs	\$350.00	\$245.00
ERL	11/26/2024	1.2	Review and assemble deposition designations for Stephen Staley deposition; circulate and confirm with opposing counsel	\$350.00	\$420.00
NMT	11/26/2024	0.9	Create sharefile of admitted exhibits	\$125.00	\$112.50
ERL	11/29/2024	1.5	Legal research of issues raised by Arbitration Panel for treatment in Post-Hearing Brief	\$350.00	\$525.00
NMT	12/3/2024	0.3	Scan exhibit 200 and update master exhibit file link; email to court reporter regarding exhibits and transcript for post trial deadlines	\$125.00	\$37.50

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	12/4/2024	4.5	Emails with Garber Court reporting regarding transcripts; download and prepare transcripts; download and review exhibits; telephone calls with Paul Greathouse at Garber court reporting regarding logistics on transcripts, exhibits, and invoicing and correcting transcripts; pull correct exhibits and compare with transcripts; summarize 3 witness testimonies	\$125.00	\$562.50
MAS	12/5/2024	1.5	Continue drafting NKD's Post-Hearing Brief; review relevant provisions of Contract and Contract Documents relating to additional obligations and available remedies	\$250.00	\$375.00
NMT	12/5/2024	2.8	Continue review of all exhibits in transcript and send corrections to court reporter	\$125.00	\$350.00
MAS	12/6/2024	0.8	Continue drafting NKD's Post-Hearing Brief	\$250.00	\$200.00
MAS	12/9/2024	2.7	Continue drafting NKD's post-hearing brief; conduct legal research of South Carolina law relating to calculation of liquidated damages and relating to proof of proximate cause element of negligence claim	\$250.00	\$675.00
NMT	12/9/2024	2.8	Receive and download corrected transcripts and review and correct all exhibits and update sharefile regarding the same; emails to court reporter regarding updates and corrections needed	\$125.00	\$350.00
MAS	12/10/2024	6.1	Continue drafting Post-Hearing Brief; begin review of relevant portions of hearing transcript; conduct legal research of South Carolina law and other jurisdictions relating to the issues of recovery of actual damages as separate and distinct from delay damages, and arguments relating to allocation of delay damages	\$250.00	\$1,525.00
NMT	12/10/2024	0.2	Email to all parties regarding deadlines for post trial briefs	\$125.00	\$25.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	12/10/2024	2.3	Review Nick Leventis deposition designations from all parties and highlight in pdf all designations; prepare and edits to admitted exhibit folder	\$125.00	\$287.50
MAS	12/11/2024	0.6	Continue review of arbitration hearing transcript relating to issues identified by the panel for inclusion in post-hearing submission	\$250.00	\$150.00
MAS	12/12/2024	1.1	Review relevant portions of hearing transcript and exhibits relating to calculation of prejudgment interest and duration of liquidated damages in connection with Post-Hearing Brief	\$250.00	\$275.00
NMT	12/12/2024	1.8	Make corrections to Nick Leventis' deposition excerpts in accordance with Robert Osborne's instructions; circulate revisions via email to all parties; receive invoices for transcripts and telephone calls to Garber Court Reporting regarding questions pertaining to invoice and lack of exhibit linking; review transcripts and point out examples of typos to Garber for correcting	\$125.00	\$225.00
MAS	12/13/2024	4.9	Conduct legal research of South Carolina law and secondary sources relating to establishing liability for delay and circumstances requiring apportionment; continue drafting Post-Hearing Brief	\$250.00	\$1,225.00
MAS	12/16/2024	7.1	Drafting of Post-Hearing Brief and review of arbitration hearing transcript; continue legal research relating to issues addressed by Panel to be included in post-hearing submission, including duration of liquidated damages and calculation of damages	\$250.00	\$1,775.00

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**CHRONOLOGICAL ITEMIZATION OF TIME ENTRIES AND FEES
OF ALL TIMEKEEPERS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	12/17/2024	3.4	Continue drafting Post-Hearing Brief and review of arbitration hearing transcript; conduct legal research of the Mechanic's Lien statute relating to recovery of attorney's fees and costs by prevailing party; continue legal research relating to issues addressed by Panel to be included in post-hearing submission	\$250.00	\$850.00
MAS	12/19/2024	4.0	Continue drafting Post-Hearing Brief; legal research relating to proximate cause and set off	\$250.00	\$1,000.00
MAS	12/22/2024	4.3	Continue drafting Post-Hearing Brief; continue legal research relating to project abandonment and retainage issue	\$250.00	\$1,075.00
ERL	12/23/2024	10.5	Revise and finalize Post-Hearing Brief	\$350.00	\$3,675.00
MAS	12/23/2024	7.5	Continue drafting Post-Hearing Brief; incorporate references to hearing transcript and exhibits; conduct legal research relating to interest calculation and damages	\$250.00	\$1,875.00
TOTAL HOURS (ALL):		956.1	TOTAL FEES (ALL):	\$224,456.50	

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMANN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	5/6/2020	0.4	Confer with Mr. Leventis and Mr. Haslinger regarding status and next steps	\$350.00	\$140.00
ERL	5/6/2020	0.3	Address inquiries from third-party engineer relating to road situation, soil/cement specifications, and involvement of County	\$350.00	\$105.00
ERL	5/18/2020	0.4	Conference with Geotechnical Engineer	\$350.00	\$140.00
ERL	6/19/2020	0.4	Prepare, revise and submit FOIA request to Richland County relating to River Shoals	\$350.00	\$140.00
ERL	6/22/2020	0.4	Provide update to client regarding status and responding to inquiries	\$350.00	\$140.00
ERL	7/22/2020	0.4	Follow up tasks and conferences relating to potential settlement	\$350.00	\$140.00
ERL	7/31/2020	0.8	Confer with Mr. Leventis; prepare list of items to be accomplished; review status report from CEC; conduct conference call with Mr. Leventis and Mr. Haslinger	\$350.00	\$280.00
ERL	8/3/2020	0.5	Confer with representative of S&ME regarding pavement investigation	\$350.00	\$175.00
ERL	8/5/2020	0.3	Review of communications, status reports, and proposals for scope of repair	\$350.00	\$105.00
ERL	8/20/2020	0.6	Confer with Mr. Leventis; prepare allegations for Complaint	\$350.00	\$210.00
ERL	8/24/2020	0.3	Tasks and conferences relating to subpoena to Ackerman Engineers	\$350.00	\$105.00
ERL	8/25/2020	0.5	Conferences with Mr. Leventis and Mr. Haslinger regarding status, substitute contractors, remaining scope of work, and resolving mechanics' lien	\$350.00	\$175.00
ERL	9/22/2020	0.9	Review of initial findings of consulting engineer; confer with Mr. Bruorton and Mr. Leventis	\$350.00	\$315.00
ERL	10/7/2020	1.2	Conduct call with clients to review status and strategy	\$350.00	\$420.00
ERL	10/7/2020	0	Call with project team at S&ME to discuss status of analysis and next steps for project support and litigation support	\$350.00	\$0.00
ERL	10/28/2020	1.1	Prepare for conference call; conference call with client	\$350.00	\$385.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	10/28/2020	0.7	Review of agreement with describing scope of additional testing; confer with Mr. Leventis regarding same	\$350.00	\$245.00
ERL	10/30/2020	0.5	Tasks and conferences relating to scope of work needed to resolve issues and move forward with development	\$350.00	\$175.00
ERL	11/2/2020	0.4	Confer with Mr. Haslinger regarding next steps, status of discussions with County, and working towards a completed scope of repair	\$350.00	\$140.00
ERL	11/30/2020	0.3	Confer with insurance counsel for ATC	\$350.00	\$105.00
ERL	1/19/2021	0.9	Call with Mr. Leventis to review status, strategy, and next steps	\$350.00	\$315.00
ERL	12/21/2020	2.2	Prepare letter to contractor; confer with Mr. Leventis	\$350.00	\$770.00
ERL	2/4/2021	2.1	Meeting with Mr. Leventis and Mr. Haslinger regarding status, strategy, and next steps	\$350.00	\$735.00
ERL	2/11/2021	0.4	Confer with Mr. Haslinger regarding bid for road repairs and next steps	\$350.00	\$140.00
ERL	2/12/2021	0.5	Review and approval of proposed utility easement; communicate with client regarding same	\$350.00	\$175.00
ERL	3/4/2021	0.5	Tasks and conferences relating to approvals of contractor and bid amount to conduct the needed repair work on the roads	\$350.00	\$175.00
ERL	3/2/2021	3.2	Conduct site visit	\$350.00	\$1,120.00
ERL	3/15/2021	0.7	Conference with Mr. Leventis regarding status and strategy	\$350.00	\$245.00
ERL	3/18/2021	2.5	Prepare and revise NKD's Answers to Interrogatories; transmit to opposing counsel	\$350.00	\$875.00
ERL	6/8/2021	0.3	Tasks and conferences relating to Amended Complaint, discovery requests, expert witnesses, and motion to reduce bond amount	\$350.00	\$105.00
ERL	7/14/2021	0.4	Tasks and conferences relating to potential dissolution of mechanic's lien	\$350.00	\$140.00
ERL	7/26/2021	0.4	Tasks and conferences relating to discovery, efforts to dissolve lien, and correction of issues with the property	\$350.00	\$140.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	8/27/2021	0.3	Address issues relating to additional issues and damages; finalize letter to opposing counsel	\$350.00	\$105.00
ERL	10/20/2021	0.4	Review of topics and issues for deposition of Joe Smith of GeoSystems	\$350.00	\$140.00
ERL	10/26/2021	0.5	Confer with Mr. Haslinger regarding project status, litigation status, next steps, lien bond, potential additional defendants, and strategy	\$350.00	\$175.00
ERL	1/17/2022	1.1	Conference call with Mr. Leventis and Mr. Haslinger regarding motions hearing and status	\$350.00	\$385.00
ERL	1/31/2022	0.5	Review of issues relating to expert witnesses; provide update to Mr. Haslinger	\$350.00	\$175.00
ERL	2/1/2022	0.3	Communications and updates with clients	\$350.00	\$105.00
ERL	2/2/2022	1.1	Prepare for client call; conduct status call with client and confirm next steps	\$350.00	\$385.00
ERL	4/12/2022	0.4	Review of work product from expert witness; confer with Mr. Joyce and clients regarding next steps	\$350.00	\$140.00
ERL	8/30/2022	0.5	Direct litigation team regarding comprehensive list of next steps	\$350.00	\$175.00
ERL	9/13/2022	1.4	Prepare and revise final notice to ATC's counsel; confer regarding escrow amount with Mr. Haslinger; review of documents relating to additional subcontractor	\$350.00	\$490.00
ERL	9/13/2022	0.3	Communications with expert witnesses	\$350.00	\$105.00
ERL	9/13/2022	0.3	Compile and prepare itemization of interim damages	\$350.00	\$105.00
ERL	9/14/2022	1.1	Review of S&ME reports; prepare for call with Chad Bruorton; review of documents relating to Gearig Civilworks; conference call with Mr. Bruorton regarding status and next steps; provide update to Mr. Haslinger	\$350.00	\$385.00
ERL	9/26/2022	0.6	Prepare for call with counsel for ATC; conduct conference call; review of damages calculation	\$350.00	\$210.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	9/27/2022	1.9	Prepare for conference call; conduct conference call with Mr. Leventis and Mr. Haslinger; assemble and calculate damages; prepare letter to counsel for ATC	\$350.00	\$665.00
ERL	9/30/2022	0.6	Prepare for call with opposing counsel regarding damages and escrow agreement; conduct call and discuss next steps	\$350.00	\$210.00
ERL	10/5/2022	0.3	Prepare and implement next steps in litigation to add additional subcontractor, calculate damages, and schedule depositions	\$350.00	\$105.00
ERL	10/6/2022	0.5	Review of update from counsel for ATC; provide written response; confer with counsel for ATC to confirm that asset sale is being closed but monies will not be released and that set aside will occur	\$350.00	\$175.00
ERL	10/11/2022	0.4	Tasks and conferences relating to confirmation of set aside; confer with clients regarding same	\$350.00	\$140.00
ERL	10/31/2022	0.4	Review of contract provisions relevant to claims; review of proposed Second Amended Complaint; follow-up with opposing counsel regarding Consent Order to set aside funds	\$350.00	\$140.00
ERL	12/1/2022	0.3	Review of revisions to Consent Order; confer with Mr. Leventis regarding status	\$350.00	\$105.00
ERL	11/30/2022	0.4	Review and finalize Amended Answer and Counterclaims	\$350.00	\$140.00
ERL	12/28/2022	0.3	Confer with Mr. Haslinger regarding status and next steps	\$350.00	\$105.00
ERL	1/9/2023	0.7	Prepare and revise Consent Order; planning relating to deposition schedule; provide update and response to inquiry from Mr. Leventis	\$350.00	\$245.00
ERL	1/25/2023	1.4	Prepare for conference call with client team regarding damages and prejudgment interest calculations; conduct call; discuss status with clients	\$350.00	\$490.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	4/7/2023	0.8	Confer with expert witnesses regarding damages allegations, liquidated damages, prejudgment interest, and related matters	\$350.00	\$280.00
ERL	4/19/2023	0.4	Confer with Mr. Moore regarding status and issues to cover during upcoming depositions	\$350.00	\$140.00
ERL	4/22/2023	3.9	Prepare for deposition of John Henderson; review and analysis of exhibits; prepare questions	\$350.00	\$1,365.00
ERL	4/21/2023	1.6	Prepare for conference with Mr. Leventis and Mr. Haslinger; conduct conference call regarding upcoming depositions and case status; review of issues and strategy	\$350.00	\$560.00
ERL	4/23/2023	7.5	Prepare for deposition of John Henderson; review of contract documents, testing results, road specifications, and related documents	\$350.00	\$2,625.00
ERL	4/24/2023	8.1	Prepare for deposition of John Henderson; conduct Day 1 of deposition; prepare for Day 2 of deposition	\$350.00	\$2,835.00
ERL	4/25/2023	8.1	Prepare for deposition; conduct Day 2 of deposition of John Henderson; attend deposition of Glenn Gentry; conduct site visit following road and utility repairs; witness interview with Scott Moore	\$350.00	\$2,835.00
ERL	5/31/2023	6.6	Prepare with Mr. Haslinger and Mr. Leventis for depositions; review of documents and verify damage calculations; identify issues to be addressed during deposition	\$350.00	\$2,310.00
ERL	6/6/2023	8.5	Assemble materials for client meeting; meet with Mr. Haslinger and Mr. Leventis to prepare for deposition; attend and conduct deposition of Mr. Haslinger; discussion of strategy and next steps	\$350.00	\$2,975.00
ERL	6/19/2023	0.4	Tasks and conferences relating to witnesses and depositions	\$350.00	\$140.00
ERL	6/28/2023	1.1	Prepare for call with expert witnesses (Mike Barb and Steve Riley); conduct call regarding damages	\$350.00	\$385.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	7/27/2023	0.4	Confer with Mr. Haslinger regarding status and strategy	\$350.00	\$140.00
ERL	8/3/2023	0.7	Confer with Mr. Brounson regarding recent developments and status of case; anticipated issues of discussion during upcoming testimony and related items	\$350.00	\$245.00
ERL	8/21/2023	0.5	Confer with Mr. Leventis; reschedule deposition due to injury; confer with opposing counsel regarding scheduling issues affecting depositions and circumstances relating to Zane Abernathy	\$350.00	\$175.00
ERL	9/26/2023	3.5	Prepare for deposition of Mark Rhodes	\$350.00	\$1,225.00
ERL	9/27/2023	7.8	Prepare for deposition of Mark Rhodes; conduct deposition	\$350.00	\$2,730.00
ERL	10/31/2023	0.8	Confer with Mr. Leventis regarding status and deposition; coordinate with all counsel regarding scheduling	\$350.00	\$280.00
ERL	11/1/2023	1.6	Prepare for call; conduct Zoom meeting with Mr. Moore in order to prepare for upcoming deposition; confer with Mr. Leventis regarding same	\$350.00	\$560.00
ERL	11/6/2023	0.6	Confer with Ms. Mungo regarding NKD litigation and related issues	\$350.00	\$210.00
ERL	11/7/2023	0.4	Confer with Mr. Haslinger regarding depositions and damage calculations	\$350.00	\$140.00
ERL	11/10/2023	8.1	Attend and conduct deposition of Mr. Leventis; confer with Mr. Haslinger regarding status; confer with Ms. Mergo regarding status	\$350.00	\$2,835.00
ERL	11/8/2023	6.3	Attend and conduct deposition of Steve Moore, PE; confer with Mr. Haslinger regarding mediation and related issues	\$350.00	\$2,205.00
ERL	11/8/2023	2.5	Meet with Mr. Leventis and Ms. Mergo to discuss case and prepare for deposition	\$350.00	\$875.00
ERL	11/7/2023	1.3	Prepare for call with Steve Moore; conduct call with Steve Moore to prepare for expert deposition	\$350.00	\$455.00
ERL	11/11/2023	2.5	Prepare for mediation; assemble presentation; review brief for mediator	\$350.00	\$875.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	11/27/2023	0.7	Confer with Ms. Leitner and Mr. Young	\$350.00	\$245.00
ERL	12/12/2023	3.7	Prepare for and conduct deposition of Chad Bruorton	\$350.00	\$1,295.00
ERL	1/10/2024	0.4	Confer with Mr. Haslinger regarding status; communications with opposing counsel regarding potential date certain	\$350.00	\$140.00
ERL	1/30/2024	0.8	Status call with Ms. Mergo; settlement discussions with counsel for ATC	\$350.00	\$280.00
ERL	1/30/2024	0.6	Confer with Mr. Staley regarding upcoming deposition; confer with Ms. Mergo regarding status and upcoming events	\$350.00	\$210.00
ERL	2/14/2024	0.7	Confer with Mr. Leventis regarding mediation, settlement strategy, and next steps	\$350.00	\$245.00
ERL	5/24/2024	0.3	Address issues with expert witness (Chad Bruorton)	\$350.00	\$105.00
ERL	6/20/2024	0.5	Tasks and conferences relating to arbitrator selection	\$350.00	\$175.00
ERL	7/26/2024	0.8	Prepare for and conduct preliminary hearing with arbitrator	\$350.00	\$280.00
ERL	7/27/2024	0.4	Confirm witness availability for arbitration	\$350.00	\$140.00
ERL	10/7/2024	0.8	Confer with opposing counsel; update call with Mr. Haslinger regarding witness availability, 30(b)(6) deposition, and settlement offer from Geo-Systems; provide client update; strategy for upcoming hearing	\$350.00	\$280.00
ERL	10/9/2024	1.7	Analysis of deposition of Mr. Leventis; prepare for Zoom call with counsel for Mr. Leventis; conduct meeting	\$350.00	\$595.00
ERL	10/9/2024	0.8	Develop hearing task list and organize preparations for upcoming hearing	\$350.00	\$280.00
ERL	10/16/2024	0.4	Preparation tasks for arbitration proceeding	\$350.00	\$140.00
ERL	10/21/2024	2.4	Prepare for deposition of Scott Moore; conduct deposition of Scott Moore	\$350.00	\$840.00
ERL	10/25/2024	5.1	Prepare for 30(b)(6) deposition of NKD	\$350.00	\$1,785.00
ERL	10/28/2024	3.2	Prepare for 30(b) deposition of NKD; prepare outline of allegations; confer with Mr. Haslinger	\$350.00	\$1,120.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	10/29/2024	8.9	Prepare for 30(b)(6) deposition; confer with Mr. Haslinger; conduct deposition and dismantle attempted arguments presented by other parties	\$350.00	\$3,115.00
ERL	11/11/2024	0.9	Prepare for call; conduct call with Hagen Leventis, Athena Leventis, and Nikole Mergo	\$350.00	\$315.00
ERL	11/12/2024	6.5	Prepare and complete NKD's Pre-Hearing Brief and Exhibits	\$350.00	\$2,275.00
ERL	11/15/2024	0.8	Conduct Preliminary Hearing with Arbitration Panel	\$350.00	\$280.00
ERL	11/15/2024	0.6	Prepare for conference with Mr. Rabon and Mr. Pierce; conduct witness conference with Engineer of Record Josh Rabon	\$350.00	\$210.00
ERL	11/15/2024	1.7	Prepare for conference with Expert Witnesses Chad Broun and Steve Moore' conduct witness conference with Mr. Haslinger	\$350.00	\$595.00
ERL	11/15/2024	2.3	Prepare direct examination outlines for NKD witnesses	\$350.00	\$805.00
ERL	11/14/2024	1.5	Develop and confirm schedule and sequence of NKD's witnesses	\$350.00	\$525.00
ERL	11/14/2024	0.6	Confer with witness sewer/utility witness David Craps	\$350.00	\$210.00
ERL	11/15/2024	0.6	Confer with counsel for ATC regarding sequence of proceeding, liquidated damages, and settlement status	\$350.00	\$210.00
ERL	11/15/2024	0.5	Prepare and finalize exhibit list	\$350.00	\$175.00
ERL	11/14/2024	0.7	Analysis of testimony of Steven Ackerman, PE	\$350.00	\$245.00
ERL	11/13/2024	0.6	Confer with counsel for Civil Engineering of Columbia regarding conducting witness conference with Mr. Rabon	\$350.00	\$210.00
ERL	11/17/2024	11.8	Prepare for arbitration; conferences with Mr. Haslinger; prepare direct and cross examination outlines; prepare demonstratives; finalize damage summaries; review exhibits and evidence; prepare opening statement and visual presentations	\$350.00	\$4,130.00

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**TIME ENTRIES AND FEES FOR
ELLIS R. LESEMAN**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	AMOUNT
ERL	11/16/2024	4.9	Prepare for arbitration; assemble examinations and opening statement; hearing strategy; review of expert reports and depositions	\$350.00	\$1,715.00
ERL	11/18/2024	9.4	Prepare for arbitration; confer with Mr. Haslinger	\$350.00	\$3,290.00
ERL	11/19/2024	15.5	Prepare for and conduct first day of arbitration; prepare for second day of arbitration	\$350.00	\$5,425.00
ERL	11/21/2024	13.7	Conduct third day of Arbitration; examination of Scott Moore, Steven Ackerman, Mark Rhodes, and Chris Coogler	\$350.00	\$4,795.00
ERL	11/20/2024	12.1	Prepare for second day of arbitration; conduct second day of arbitration; direct and redirect examinations of Josh Rabon, Richard Young, David Craps, Steve Moore; prepare for third day of arbitration	\$350.00	\$4,235.00
ERL	11/22/2024	11.1	Prepare for fourth day of arbitration; conduct cross examination of John Henderson, cross examination of Bob Jennings, cross examination of Joe Smith, and rebuttal testimony of Mr Haslinger	\$350.00	\$3,885.00
ERL	11/26/2024	0.7	Provide updates to Ms. Mergo, Ms. Leventis, and Mr. Haslinger; analysis and strategy for post-hearing briefs	\$350.00	\$245.00
ERL	11/25/2024	0.9	Conduct Post-Hearing Conference with Arbitration Panel and opposing counsel	\$350.00	\$315.00
ERL	11/26/2024	1.2	Review and assemble deposition designations for Stephen Staley deposition; circulate and confirm with opposing counsel	\$350.00	\$420.00
ERL	11/25/2024	0.4	Confer with Mr. Haslinger regarding status and strategy	\$350.00	\$140.00
ERL	11/29/2024	1.5	Legal research of issues raised by Arbitration Panel for treatment in Post-Hearing Brief	\$350.00	\$525.00
ERL	12/23/2024	10.5	Revise and finalize Post-Hearing Brief	\$350.00	\$3,675.00
TOTAL HOURS (ERL):		267.7	TOTAL FEES (ERL):	\$93,695.00	

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	5/13/2021	1.5	Draft/revise and finalize drafts of discovery requests for service on ATC	\$295.00	\$442.50
BHJ	5/13/2021	2.9	Drafting of Amended Answer and Counterclaims on behalf of NKD; review/analyze inspection reports to utilize and incorporate as allegations in same	\$295.00	\$855.50
BHJ	5/14/2021	0.1	Correspond via email with clients regarding discovery served on ATC	\$295.00	\$29.50
BHJ	5/14/2021	0.5	Finalize draft of Amended Answer and Counterclaims on behalf of NKD to be filed with Court	\$295.00	\$147.50
BHJ	6/8/2021	0.3	Conference regarding mechanics lien, discovery items	\$295.00	\$88.50
BHJ	6/8/2021	0.3	Conduct public index searches for other lawsuits involving ATC in South Carolina; review/analyze collection lawsuit against ATC	\$295.00	\$88.50
BHJ	6/9/2021	0.4	Telephone calls with Richland County Clerk of Court regarding NKD/ATC mechanics lien filing	\$295.00	\$118.00
BHJ	6/9/2021	3.5	Review/analyze timing of filing of mechanics lien by ATC; research South Carolina common law and statutory law regarding validity and enforcement of mechanics lien; review client documents regarding final date ranges for labor, services, and materials provided by ATC	\$295.00	\$1,032.50
BHJ	6/10/2021	1.5	Conference call with clients Nick Leventis and Karl Haslinger regarding litigation status, expert report of ATC, mechanics lien issue, etc.	\$295.00	\$442.50
BHJ	7/14/2021	0.1	Conference regarding mechanic's lien reduction/dissolution analysis and motion regarding same to be filed with court	\$295.00	\$29.50
BHJ	7/19/2021	0.3	Finalize draft of Motion to Compel discovery responses for filing with Court	\$295.00	\$88.50
BHJ	7/19/2021	0.1	Conference regarding filing of Motion for Dissolution / Reduction of Mechanics Lien	\$295.00	\$29.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	7/21/2021	1.0	Research of pertinent South Carolina case law in preparation of drafting Motion for Dissolution / Reduction of Mechanics Lien	\$295.00	\$295.00
BHJ	7/23/2021	0.5	Draft/finalize Motion to Dissolve Mechanic's lien and file same with Court; correspond via email with clients Karl Haslinger and Nick Leventis regarding same	\$295.00	\$147.50
BHJ	7/26/2021	0.1	Conference regarding amendment to Answer filed with Court	\$295.00	\$29.50
BHJ	8/26/2021	1.0	Draft letter to counsel for ATC regarding notice of additional defects, sewer issues; correspond via email with clients Nick Leventis and Karl Haslinger regarding same	\$295.00	\$295.00
BHJ	8/26/2021	0.2	Conference regarding notice letter to counsel for ATC regarding additional defects discovered at site	\$295.00	\$59.00
BHJ	8/30/2021	0.2	Telephone call with counsel for ATC regarding notice of additional defects; status of discovery responses from ATC	\$295.00	\$59.00
BHJ	8/30/2021	0.3	Draft letter for client Nick Leventis regarding notice of additional defects to send to ATC; correspond via email with client Nick Leventis regarding same	\$295.00	\$88.50
BHJ	8/30/2021	0.5	Revise draft of Amended Answer and Counterclaims against ATC Site Construction to incorporate claims regarding additional defects found at site	\$295.00	\$147.50
BHJ	8/30/2021	0.5	Draft/finalize subpoena to liability expert for ATC, Mark Rhodes, and letter serving same	\$295.00	\$147.50
BHJ	8/31/2021	0.4	Telephone call with client Nick Leventis regarding additional defects found at site	\$295.00	\$118.00
BHJ	8/31/2021	0.3	Correspond via email with client Nick Leventis regarding photographs and video footage of additional defects related to sewer system at site	\$295.00	\$88.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/2/2021	0.5	Telephone call and email with clients Nick Leventis and Karl Haslinger regarding additional defect issue; revise draft of letter for Mr. Leventis to send to ATC regarding same	\$295.00	\$147.50
BHJ	9/2/2021	0.5	Telephone call and email with Susan Leitner, utility contractor for water/sewer issues	\$295.00	\$147.50
BHJ	9/13/2021	0.3	Review/analyze letter from Rimkus (expert for ATC) regarding objections to subpoena; correspond via email with subpoena counsel regarding same	\$295.00	\$88.50
BHJ	9/16/2021	0.4	Conference regarding Motion to Compel; remaining discovery; inspection	\$295.00	\$118.00
BHJ	9/24/2021	0.1	Correspond via email with opposing counsel for ATC regarding site inspection with ATC expert witness and Susan Leitner	\$295.00	\$29.50
BHJ	9/29/2021	0.1	Receipt and review of Notice of Deposition of Joe Smith and Certificate of Service as served by counsel for ATC via email	\$295.00	\$29.50
BHJ	10/13/2021	2.1	Attend site inspection at River Shoals in Columbia with Susan Leitner (LG Utility Contractors), Richard Young (Carolina Tap & Bore), and Mark Rhoads (Rimkus - ATC Expert Witness) to discuss and review repair work performed by LG Utility Contractors and Carolina Tap & Bore	\$295.00	\$619.50
BHJ	10/13/2021	0.3	Review/analyze notated plats, handwritten notes, and photographs regarding repair work provided by Susan Leitner (LG Utility Contractors) in advance of producing same as part of NKD's Supplemental Responses to ATC's Requests for Production	\$295.00	\$88.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	10/13/2021	0.3	Finalize drafts of NKD's Supplemental Answers to ATC's Interrogatories identifying Susan Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore) as witnesses and NKD's Supplemental Responses to ATC's Requests for Production producing recent documentation from LG Utility Contractors and Letters serving same to opposing counsel for ATC	\$295.00	\$88.50
BHJ	10/20/2021	0.5	Conference regarding deposition of Joe Smith of Geosystems and pertinent items to address during deposition	\$295.00	\$147.50
BHJ	10/20/2021	2.5	Tasks related to preparation for upcoming deposition of Joe Smith of Geosystems including review of Geosystems subpoena response materials, Richland County road design standards, and SM&E Reports	\$295.00	\$737.50
BHJ	10/20/2021	2.8	Attend/appear for deposition of Joe Smith of Geosystems as noticed by counsel for ATC	\$295.00	\$826.00
BHJ	10/25/2021	0.1	Telephone call to chambers of Judge Manning regarding priority scheduling for pending Motion to Eliminate or Reduce Mechanic's Lien	\$295.00	\$29.50
BHJ	10/26/2021	0.1	Correspond via email with counsel for ATC re status of ATC's discovery responses	\$295.00	\$29.50
BHJ	10/27/2021	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding deposition of Joe Smith of Geosystems; discovery update; status of Motion to Dissolve or Reduce Lien	\$295.00	\$59.00
BHJ	11/1/2021	0.1	Correspond via email with Susan Leitner regarding subpoena response to counsel for ATC	\$295.00	\$29.50
BHJ	11/3/2021	0.1	Receipt and review of Errata Sheet to Deposition Transcript completed by Joe Smith of Geosystems	\$295.00	\$29.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/22/2021	0.5	Correspond via email with Clerk of Court regarding status of scheduling Motion to Dissolve/Reduce Mechanic's Lien; correspond via email with Judge Manning and opposing counsel regarding same; telephone call with opposing counsel and Judge Manning regarding same	\$295.00	\$147.50
BHJ	11/24/2021	0.2	Finalize FOIA Request to SC LLR regarding all materials related to ATC Site Construction, including license application, complaints, etc.	\$295.00	\$59.00
BHJ	11/24/2021	0.3	Finalize subpoenas to ATC accountant (Oswald) and two (2) subcontractors (Precision Blasting and Gearig Brothers) and letters serving same	\$295.00	\$88.50
BHJ	12/3/2021	0.2	Finalize Supplemental Responses to ATC's Requests for Production producing additional materials from LG Contractors / Susan Leitner and Letter serving same to counsel	\$295.00	\$59.00
BHJ	11/10/2021	0.2	Correspond via email with opposing counsel regarding ATC discovery responses	\$295.00	\$59.00
BHJ	11/30/2021	0.3	Correspond via email with opposing counsel for ATC regarding dissolution of mechanic's lien motion	\$295.00	\$88.50
BHJ	11/29/2021	0.2	Correspond via email with Court and opposing counsel regarding upcoming motion rosters and NKD's Dissolution of Mechanic's Lien Motion	\$295.00	\$59.00
BHJ	11/23/2021	0.5	Review/analyze filings regarding ongoing litigation involving ATC Site Construction in Aiken County	\$295.00	\$147.50
BHJ	11/23/2021	0.2	Correspond via email with opposing counsel regarding NKD draft Amended Answer and Counterclaims; adding Geosystems as party	\$295.00	\$59.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/23/2021	0.1	Correspond via email with opposing counsel regarding NKD's Dissolution of Mechanic's Lien Motion	\$295.00	\$29.50
BHJ	11/15/2021	0.2	Correspond via email with clients Mr. Karl Haslinger and Mr. Nick Leventis regarding ATC's discovery responses and document production	\$295.00	\$59.00
BHJ	12/1/2021	2.0	Tasks related to Motion to Reduce/Dissolve Mechanic's Lien including phone conversations and email correspondence with opposing counsel, review and analysis of ATC accounting for mechanic's lien, documents/timeline related to labor being performed in December 2019-February 2020	\$295.00	\$590.00
BHJ	12/2/2021	0.2	Follow up correspondence via email with counsel for ATC regarding NKD's amended Answer and Counterclaims; addition of parties to case, including Geosystems	\$295.00	\$59.00
BHJ	12/2/2021	0.2	Correspond via email with Court regarding scheduling and logistics for NKD's Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	12/6/2021	3.0	Meeting with clients Karl Haslinger and Nick Leventis to discuss Mechanic's Lien filing and related case items and Site Visit following at River Shoals	\$295.00	\$885.00
BHJ	12/6/2021	0.1	Telephone call to opposing counsel regarding status of ATC's consent to NKD's proposed Amended Answer and Counterclaims	\$295.00	\$29.50
BHJ	12/5/2021	1.8	Prepare for upcoming meeting with clients Karl Haslinger and Nick Leventis to include review and assembly of pertinent documentation related to mechanic's lien motion and drafting of outline of topics to address during meeting	\$295.00	\$531.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	12/7/2021	0.1	Follow up email to Court checking on status and logistics of scheduling NKD's Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$29.50
BHJ	12/7/2021	0.2	Finalize subpoena to Geosystems for CGL policy information and Letter serving same to Joel Smith, President of Geosystems	\$295.00	\$59.00
BHJ	12/8/2021	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding hearing on Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	12/13/2021	0.2	Receipt and review of subpoena response from Gearig Brothers Civil works as produced via email	\$295.00	\$59.00
BHJ	12/13/2021	0.2	Telephone call with opposing counsel regarding NKD's subpoena to ATC accountant, Robert Oswald	\$295.00	\$59.00
BHJ	12/14/2021	0.2	Finalize NKD's Fourth Supplement Responses to Requests for Production and Letter serving same to opposing counsel	\$295.00	\$59.00
BHJ	12/14/2021	0.2	Telephone call with office of Judge Manning regarding scheduling logistics for NKD's Motion to Dissolve or Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	12/14/2021	0.2	Correspond via email with opposing counsel regarding NKD's subpoena to ATC accountant, Robert Oswald	\$295.00	\$59.00
BHJ	12/14/2021	0.2	Correspond via email with client Nick Leventis regarding hearing on NKD's Motion to Dissolve or Reduce Mechanic's Lien; unsuccessful attempts to schedule motion before Judge Manning	\$295.00	\$59.00
BHJ	12/15/2021	0.3	Revise draft of Amended Answer and Counterclaims to incorporate suggested edits from counsel for ATC in order to obtain consent for filing; correspond via email with counsel for ATC regarding same	\$295.00	\$88.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/17/2022	1.3	Telephone call with clients Karl Haslinger and Nick Leventis regarding upcoming Motion to Dissolve/Reduce Mechanic's Lien	\$295.00	\$383.50
BHJ	1/18/2022	5.0	Attend court hearing in Columbia, SC with client Nick Leventis for NKD's Motion to Dissolve or Reduce ATC Mechanic's Lien	\$295.00	\$1,475.00
BHJ	1/18/2022	0.3	Follow up email correspondence between opposing counsel for ATC and Judge Holt regarding clarification on forthcoming court ruling	\$295.00	\$88.50
BHJ	1/21/2022	0.3	Review/analyze Answer to NKD's Amended Answer & Counterclaims and Third-Party Complaint against Geosystems filed by ATC; review affidavit of Mark Rhodes, P.E. filed on behalf of ATC in support of Third-Party Complaint against Geosystems; correspond via email with professional liability insurance adjuster for Geosystems regarding same	\$295.00	\$88.50
BHJ	2/1/2022	0.2	Correspond via email with counsel for ATC regarding filing of proposed Consent Order reducing amount of mechanic's lien; finalize same for filing with Court	\$295.00	\$59.00
BHJ	2/2/2022	0.5	Prepare for upcoming phone call with clients Karl Haslinger and Nick Leventis to include drafting of memo regarding case status updates	\$295.00	\$147.50
BHJ	2/2/2022	1.1	Conference call with clients Karl Haslinger and Nick Leventis regarding case status updates, retention of engineering experts for claims against Geosystems	\$295.00	\$324.50
BHJ	2/2/2022	0.4	Review code section to confirm proper amount for bonding of off ATC lien; calculate same based on reduced mechanic's lien figure; correspond via email with client Nick Leventis regarding mechanic's lien bond amount and filing	\$295.00	\$118.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	2/3/2022	0.2	Receipt and review of Consent Order entered by Court reducing ATC's Mechanic's Lien amount; correspond via email with clients Nick Leventis and Karl Haslinger regarding same	\$295.00	\$59.00
BHJ	1/4/2022	0.2	Conference regarding subpoena to Geosystems / Joe Smith	\$295.00	\$59.00
BHJ	1/5/2022	0.1	Receipt and review of Consent Order entered by Judge Manning allowing leave to NKD to file Amended Answer with Counterclaims	\$295.00	\$29.50
BHJ	1/5/2022	0.2	Telephone call with client Mr. Karl Haslinger regarding upcoming hearing on Motion to Reduce ATC Mechanic's Lien	\$295.00	\$59.00
BHJ	1/5/2022	0.2	Finalize draft of Amended Answer and Counterclaims for filing with Court on behalf of NKD	\$295.00	\$59.00
BHJ	1/6/2022	0.2	Receipt and review of email from counsel for ATC regarding NKD's Motion to Compel ATC's discovery responses; conference regarding same	\$295.00	\$59.00
BHJ	1/7/2022	0.2	Letter to Precision Blasting regarding outstanding subpoena response	\$295.00	\$59.00
BHJ	1/11/2022	0.2	Telephone call with counsel for ATC regarding NKD's Motion to Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	1/12/2022	5.0	Tasks related to preparation for submission of memorandum in support of Motion to Reduce Mechanic's Lien to include review and analysis of pertinent case law regarding timing issues and disputes of fact, approval of change orders and disputes of fact, and review and compiling of exhibits to use in support of memorandum	\$295.00	\$1,475.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/13/2022	4.2	Drafting of detailed Memorandum in Support of Motion to Reduce / Dissolve Mechanic's Lien for submission to Judge Holt and finalize list of exhibits to use in support of same	\$295.00	\$1,239.00
BHJ	1/14/2022	1.5	Telephone call from client Nick Leventis regarding affidavit of John Henderson; review/analyze Henderson affidavit and exhibits in support of same as filed by ATC	\$295.00	\$442.50
BHJ	1/17/2022	3.1	Tasks related to preparation for upcoming hearing on NKD Motion to Reduce Mechanic's Lien to include review and analysis of both parties' memorandums and exhibits, drafting of argument outline	\$295.00	\$914.50
BHJ	1/17/2022	0.2	Correspond via email with counsel for ATC regarding resolution of Motion to Compel discovery responses filed by NKD	\$295.00	\$59.00
BHJ	1/17/2022	0.2	Conference regarding subpoena to Geosystems / Joe Smith for commercial general liability or errors and omission insurance information	\$295.00	\$59.00
BHJ	1/21/2022	0.1	Correspond via email with client Nick Leventis regarding status of Judge Holt's ruling on NKD's Motion to Reduce Mechanic's Lien	\$295.00	\$29.50
BHJ	1/24/2022	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding Judge Holt's ruling on NKD's Motion to Reduce Mechanic's Lien	\$295.00	\$59.00
BHJ	1/26/2022	0.3	Telephone call and email with opposing counsel for ATC regarding Consent Order reducing Mechanic's Lien by \$30,000.00+	\$295.00	\$88.50
BHJ	1/27/2022	0.8	Research potential engineering experts to retain to consult on case and assist with bringing claims against Geosystems	\$295.00	\$236.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/28/2022	0.2	Telephone call with opposing counsel for ATC regarding reduction of fees included within ATC's mechanic's lien filing and consent order regarding same	\$295.00	\$59.00
BHJ	1/28/2022	0.5	Review and analysis of applicable procedure for reducing of mechanic's lien amount with ROD and Clerk's Office as discussed with counsel for ATC	\$295.00	\$147.50
BHJ	1/28/2022	0.2	Receipt and review of CV and Fee Schedule provided by potential expert Steve Moore, PE of ABS	\$295.00	\$59.00
BHJ	1/31/2022	0.1	Receipt and review of email from client Nick Leventis regarding claims against Geosystems and retention of expert witness for same	\$295.00	\$29.50
BHJ	2/23/2022	0.4	Receipt and review of email from Joe Bucciarelli of Precision Blasting with subpoena response and documents related to River Shoals	\$295.00	\$118.00
BHJ	3/7/2022	0.2	Letter to counsel for ATC producing records received from Precision Blasting in response to subpoena issued for same	\$295.00	\$59.00
BHJ	2/2/2022	0.5	Finalize draft of Consent Order reducing ATC's Mechanic's Lien for filing with Court	\$295.00	\$147.50
BHJ	2/18/2022	0.2	Correspond via email with counsel for ATC regarding status of service of process on Geosystems	\$295.00	\$59.00
BHJ	2/16/2022	0.6	Compile pertinent initial records for engineering expert, Steve Moore of ABS, to review; Correspond via email Mr. Moore regarding same	\$295.00	\$177.00
BHJ	2/16/2022	0.2	Correspond via email with insurance broker / adjuster for Geosystems regarding amending pleading adding Geosystems to case and status of service of process and retention of counsel for Geosystems	\$295.00	\$59.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	2/21/2022	0.2	Receipt and review of letter from counsel for ATC to Joe Smith of Geosystems serving copy of Third-Party Complaint against Geosystems	\$295.00	\$59.00
BHJ	3/4/2022	0.1	Correspond via email with engineering expert, Steve Moore of ABS, regarding phone conference to discuss review and opinion of initial records	\$295.00	\$29.50
BHJ	3/9/2022	0.5	Tasks related to preparation for upcoming phone call with engineer expert, Steve Moore of ABS, to discuss opinions based on initial review of documents	\$295.00	\$147.50
BHJ	3/9/2022	0.6	Phone conference with engineering expert, Steve Moore of ABS, to discuss his opinions regarding breaches of standard of care of ATC and Geosystems based on initial review of case	\$295.00	\$177.00
BHJ	3/9/2022	0.2	Correspond via email with clients Karl Haslinger and Nick Leventis regarding phone conference conducted with engineering expert Steve Moore regarding his initial opinions supporting claims against ATC and Geosystems	\$295.00	\$59.00
BHJ	3/10/2022	0.2	Conference regarding developing NKD witnesses, including Steve Staley of Richland County and Replacement Road Contractor	\$295.00	\$59.00
BHJ	3/23/2022	0.6	Review and compile additional materials for review/analysis by engineering expert Steve Moore of ABS; correspond via email with Steve Moore regarding same	\$295.00	\$177.00
BHJ	4/6/2022	0.2	Telephone call with expert Steve Moore of ABS regarding additional opinions as to Geosystems and timetable for completion of his affidavit to be filed in support of claims to be initiated against Geosystems	\$295.00	\$59.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	4/11/2022	0.5	Review file for additional pertinent materials to send to expert witness Steve Moore, including contract and materials from Civil Engineering of Columbia; correspond via email with Mr. Moore regarding same	\$295.00	\$147.50
BHJ	4/12/2022	0.8	Review/analyze draft affidavit provided by expert witness, Steve Moore, P.E. regarding breaches of standard of care by ATC and Geoystems; correspond via email with Mr. Moore and clients Karl Haslinger and Nick Leventis regarding same	\$295.00	\$236.00
BHJ	4/12/2022	0.4	Review/locate road/pavement design plans, contract(s) per request of engineer expert witness, Steve Moore for his utilization of same for finalizing his affidavit	\$295.00	\$118.00
BHJ	4/13/2022	0.2	Correspond via email with counsel for ATC Site Construction regarding service of process on Geo-Systems of ATC's Third Party Complaint	\$295.00	\$59.00
BHJ	4/18/2022	0.3	Receipt and review of finalized affidavit from expert witness Steve Moore PE	\$295.00	\$88.50
BHJ	4/18/2022	0.2	Correspond via email with insurance adjuster for Geo-Systems regarding status of retention of counsel for represent Geo-Systems in lawsuit	\$295.00	\$59.00
BHJ	4/28/2022	0.1	Correspond via email with counsel for ATC Site Construction regarding final repair cost numbers for NKD	\$295.00	\$29.50
BHJ	4/22/2022	3.0	Finalize draft of Cross Claim to be filed against Geo-System and Consent Order to be circulated amongst parties allowing same	\$295.00	\$885.00
BHJ	4/21/2022	0.8	Begin drafting of Cross Claims to be filed against Geo-System	\$295.00	\$236.00
BHJ	5/6/2022	0.1	Review Answer filed by Geo-Systems to ATC Site Construction's Third-Party Complaint	\$295.00	\$29.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	5/9/2022	0.2	Receipt and review of subpoenas served by counsel for ATC Site Construction to Carolina Tap & Bore, CEC, Gearing Civil works, S&ME, Back Forty Aerial Solutions, Belter and Associates Inc, Precision Blasting, and Ameris Bank	\$295.00	\$59.00
BHJ	6/12/2022	0.1	Correspond via email with office of expert witness Steve Moore regarding invoice for additional work conducted by Mr. Moore	\$295.00	\$29.50
BHJ	6/7/2022	1.3	Review/analyze discrepancy issue with Pay App 20 and possible credit to NKD for \$61,587.00 for deceleration lane that was potentially never, in fact, credited	\$295.00	\$383.50
BHJ	7/12/2022	0.2	Correspond via email with counsel for ATC regarding ATC's consent to amendment of complaint and addition of claims against Geo-Systems	\$295.00	\$59.00
BHJ	7/7/2022	0.2	Phone call from counsel for Geo-Systems regarding status of discovery, NKD's proposed Amended Complaint with claims against Geo-Systems	\$295.00	\$59.00
BHJ	7/5/2022	0.2	Correspond via email with counsel for ATC and Geo-Systems regarding NKD's filing of Second Amended Complaint and requesting consent from ATC and Geo-Systems as to same	\$295.00	\$59.00
BHJ	7/20/2022	0.8	Correspond via email with office of counsel for ATC Site Construction regarding depositions of NKD witnesses; review/compile list of witnesses to depose from ATC Site Construction and correspond via email with counsel for ATC regarding same	\$295.00	\$236.00
BHJ	7/20/2022	0.1	Correspond via email with counsel for Geo-Systems regarding status of consent to proposed amended Complaint	\$295.00	\$29.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	7/25/2022	1.0	Finalize Amended Answer and Counterclaims adding Geo-Systems to case; finalize draft of Consent Order permitting same for filing with Court	\$295.00	\$295.00
BHJ	7/28/2022	0.2	Conference regarding deposition strategy and scheduling; coordinating damages figures with NKD Accountant	\$295.00	\$59.00
BHJ	8/8/2022	0.2	Phone call and email to Richland County Clerk of Court regarding status of Court's review and entering of Consent Order to allow NKD to amend Answer and Counterclaims	\$295.00	\$59.00
BHJ	8/12/2022	0.2	Correspond via email with counsel for GeoSystems regarding NKD's Cross Claims against GeoSystems, acceptance of service of same	\$295.00	\$59.00
BHJ	8/30/2022	0.6	Conference regarding preparation/planning/strategy for upcoming depositions	\$295.00	\$177.00
BHJ	9/2/2022	0.3	Receipt and review of emails from client Nick Leventis regarding HUD for initial closing of lots, and three (3) lien waivers from replacement road and site contractors	\$295.00	\$88.50
BHJ	8/9/2022	0.2	Receipt and review of Consent Order entered by Court granting NKD Motion to Amend Complaint to add Geo-Systems as party; finalize Amended Complaint for filing with Court	\$295.00	\$59.00
BHJ	8/12/2022	0.2	Conference regarding depositions of ATC and NKD witnesses	\$295.00	\$59.00
BHJ	9/6/2022	0.3	Phone conference and email with Mike Barb, CPA regarding NKD general ledgers for River Shoals to assist with damages calculations and analysis	\$295.00	\$88.50
BHJ	9/13/2022	1.0	Review invoices and damages documentation related to repair vendors; calculate same and draft itemized damages spreadsheet	\$295.00	\$295.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/14/2022	0.3	Conference regarding damages calculation; invoices from LG Utility Contractors, Inc. & Asphalt Paving and Maintenance Co., Inc.	\$295.00	\$88.50
BHJ	9/14/2022	0.2	Correspond via email with office of counsel for ATC regarding depositions of ATC witnesses, including Robert Oswald (CPA for ATC) and Jonathan Whitehead	\$295.00	\$59.00
BHJ	9/14/2022	0.2	Conference regarding previous subpoenas issued by ATC to eight (8) vendors; request to supplement discovery responses with subpoena productions	\$295.00	\$59.00
BHJ	9/14/2022	0.4	Conference regarding ATC subcontractor, Gearig Civilworks, and Gearig's involvement in soil cement mix and grading; potential addition to lawsuit as defendant; correspond via email with clients Karl Haslinger and Nick Leventis regarding same	\$295.00	\$118.00
BHJ	9/14/2022	0.8	Review of ATC document production for any additional records or references as to extent of Gearig Civilworks involvement with roadwork at River Shoals and as subcontractor of ATC	\$295.00	\$236.00
BHJ	9/13/2022	0.2	Correspond via email with expert witness Steve Moore, P.E. regarding Gearig Civilworks records and request for phone conference to discuss same after his review	\$295.00	\$59.00
BHJ	9/15/2022	2.5	Review/analyze "substantial completion" references in Contract Documents and review pertinent case law and secondary sources regarding interpretation of "standard completion" for purposes of finalizing calculation of liquidated damages claim	\$295.00	\$737.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/15/2022	0.2	Correspond via email with office of Mike Barb, CPA for NKD, regarding general ledgers for River Shoals	\$295.00	\$59.00
BHJ	9/15/2022	0.3	Conference regarding supplementation of discovery responses and producing updated damages calculation and documentation on behalf of NKD	\$295.00	\$88.50
BHJ	9/19/2022	0.2	Correspond via email with counsel for ATC Site Construction and Geo-Systems regarding request for consent to amending NKD's Answer to add Gearig Civilworks as party on claims of negligence and violation of the South Carolina Unfair Trade Practices Act	\$295.00	\$59.00
BHJ	9/20/2022	1.2	Finalize drafts of First Sets of Interrogatories and First Sets of Requests for Production for service on Geo-Systems	\$295.00	\$354.00
BHJ	9/26/2022	0.4	Prepare for initial phone conference with counsel for ATC regarding ATC asset sale and measures to protect NKD's interest	\$295.00	\$118.00
BHJ	9/26/2022	0.3	Conduct initial phone conference with counsel for ATC regarding ATC asset sale and proposal for escrow of funds to protect NKD's interest	\$295.00	\$88.50
BHJ	9/26/2022	0.8	Conference following discussion with counsel for ATC regarding calculation of substantial completion date and liquidated damages including prejudgment interest rate; review/analyze pertinent case law related to assignment of prejudgment interest to liquidated damages claims	\$295.00	\$236.00
BHJ	9/26/2022	0.1	Correspond via email with clients Karl Haslinger and Nick Leventis regarding phone conference to discuss recent discussion with counsel for ATC regarding ATC asset sale and NKD interim damages calculation	\$295.00	\$29.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/27/2022	0.5	Conduct legal research regarding extent of evidentiary basis needed / standard of review for motion for prejudgment writ of attachment against ATC	\$295.00	\$147.50
BHJ	9/27/2022	0.2	Correspond via email with counsel for ATC regarding forthcoming damages calculation production and phone conference on 09/30/22 to further discuss escrow of funds	\$295.00	\$59.00
BHJ	9/28/2022	0.9	Prepare Motion to Compel subpoena response of Robert M Oswald II CPA (ATC accountant) and compile exhibits in support of same	\$295.00	\$265.50
BHJ	9/30/2022	0.1	Receipt and review of email from counsel for Geo-Systems regarding coordinating of upcoming depositions of witnesses from ATC and NKD	\$295.00	\$29.50
BHJ	9/30/2022	0.6	Phone call with counsel for ATC regarding ATC's proposal of escrowing funds from asset sale to protect NKD's interests; internal conference prior to and afterwards to discuss same	\$295.00	\$177.00
BHJ	11/17/2022	1.5	Review SM&E reports to incorporate specific details from same into amended pleading with new claims against Gearig	\$295.00	\$442.50
BHJ	12/1/2022	0.2	Correspond via email with counsel for ATC and Geo-Systems regarding proposed amended pleading adding Gearig Civilworks and request for consent from parties as to same	\$295.00	\$59.00
BHJ	11/18/2022	0.1	Receipt and review of email from counsel for ATC regarding Consent Order for Preservation of \$2,500,000 generated from recent asset sale	\$295.00	\$29.50

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	12/29/2022	0.2	Receipt and review of Answers filed by Geosystems and ATC to recently amended pleading filed on behalf of NKD with cross/counter claims against Geo-Systems and third party claims against Gearig Civilworks	\$295.00	\$59.00
BHJ	1/16/2023	0.2	Finalize NKD's Supplemental Responses to Requests for Production to all parties and Letter serving same to counsel	\$295.00	\$59.00
BHJ	2/10/2023	0.2	Finalize subpoena to Ameris Bank and letter serving same	\$295.00	\$59.00
BHJ	3/6/2023	1.7	Conference regarding upcoming depositions, expert witness development, reconfiguration of pleadings to address Gearig's dispositive motions, and other general case development items; begin review of procedural rules and case law pertinent to Gearig's Motions to Dismiss	\$295.00	\$501.50
BHJ	3/20/2023	0.3	Telephone call with counsel for Geo-Systems regarding reconfiguration of case caption and alignment of parties; NKD's claimed damages; and scheduling of mediation	\$295.00	\$88.50
BHJ	3/20/2023	0.3	Conference regarding scheduling of mediation; updating discovery responses to serve to all parties	\$295.00	\$88.50
BHJ	3/28/2023	0.7	Prepare edits on behalf of NKD to Gearig's proposed Order granting Motions to Dismiss without prejudice; correspond via email with counsel for Gearig regarding same	\$295.00	\$206.50
BHJ	3/27/2023	1.0	Review/analyze proposed Order prepared by Gearig granting Gearig's Motions to Dismiss; review/analyze applicable procedural rules cited in Order; correspond via email with counsel for ATC regarding same	\$295.00	\$295.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	3/1/2023	0.1	Receipt and review of subpoena to Ameris Bank served by ATC via email	\$295.00	\$29.50
BHJ	4/25/2023	2.0	Prepare/review outline of questions for deposition of Glenn Gentry; finalize exhibits to introduce during Mr. Gentry's deposition	\$295.00	\$590.00
BHJ	4/21/2023	0.6	Correspond via email with counsel for Geo-Systems and respond to inquiry regarding itemized repair costs and damages incurred by NKD; conference regarding same	\$295.00	\$177.00
BHJ	4/19/2023	0.4	Conduct phone conference with expert witness, Steve Moore, to discuss and prepare for upcoming depositions of John Henderson and Glenn Gentry of ATC	\$295.00	\$118.00
BHJ	4/17/2023	0.2	Correspond via email with expert witness, Steve Moore, regarding upcoming depositions of John Henderson and Glenn Gentry of ATC and coordinating phone conference with Mr. Moore to discuss and prepare for same	\$295.00	\$59.00
BHJ	4/26/2023	0.3	Conferences regarding serving supplemental discovery requests on certain issues disclosed during recent deposition of John Henderson of ATC	\$295.00	\$88.50
BHJ	4/19/2023	0.3	Conference regarding task list of items to address and prepare for upcoming depositions of ATC witnesses, John Henderson and Glenn Gentry	\$295.00	\$88.50
BHJ	4/28/2023	0.6	Draft Supplemental Interrogatories and Requests for Production to serve ATC Site Construction for certain information disclosed during depositions of John Henderson and Glenn Gentry	\$295.00	\$177.00
BHJ	5/2/2023	0.6	Revise drafts of NKD's Supplemental Interrogatories and Requests for Production to ATC and finalize letter to opposing counsel serving same	\$295.00	\$177.00

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**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	5/30/2023	0.2	Conference regarding deposition prep of Karl Haslinger and Nick Leventis; documents to review and provide clients	\$295.00	\$59.00
BHJ	5/31/2023	0.3	Update draft of NKD interim damages calculation in preparation of producing supplemental discovery response regarding same	\$295.00	\$88.50
BHJ	5/31/2023	0.6	Review email production of NKD to locate and confirm first initial notice provided by Mr. Leventis to ATC of cracking with roadways	\$295.00	\$177.00
BHJ	5/31/2023	0.1	Follow up via email with counsel for ATC regarding status of production of John Henderson's physical file maintained in office	\$295.00	\$29.50
BHJ	5/31/2023	0.3	Conference regarding calculating total payments made to ATC Site Construction; review ledgers provided by Barb & Associates to back up calculations	\$295.00	\$88.50
BHJ	5/25/2023	0.2	Correspond via email with counsel for all parties requesting consent to NKD's Fourth Amended Answer, Counterclaims, and Cross Claims and Consent Order for entry of same	\$295.00	\$59.00
BHJ	6/5/2023	0.2	Conference regarding upcoming deposition of client Karl Haslinger and tasks to complete for preparation for same	\$295.00	\$59.00
BHJ	5/1/2023	0.2	Receipt and review of Answer filed on behalf of Geo-Systems to pleading of ATC	\$295.00	\$59.00
BHJ	6/5/2023	2.8	Review deposition transcript of John Henderson of ATC in preparation of upcoming deposition of client Karl Haslinger; notate pertinent excerpts for discussion with Mr. Haslinger in advance of deposition	\$295.00	\$826.00

ELECTRONICALLY FILED - 2023 Mar 16 10:10 PM - RICHMOND - COMMON PLEAS - CASE#2020CP4068915

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	6/5/2023	1.0	Review/analyze AIA Contract with ATC in preparation of upcoming deposition of client Karl Haslinger; notate pertinent provisions for discussion and preparation with Mr. Haslinger in advance of deposition	\$295.00	\$295.00
BHJ	6/5/2023	1.0	Review of expert reports produced by ATC and NKD in preparation of deposition of client Karl Haslinger; notate pertinent excerpts from reports regarding repair scope for discussion and preparation with Mr. Haslinger in advance of deposition	\$295.00	\$295.00
BHJ	6/5/2023	2.0	Prepare detailed memorandum for client Karl Haslinger to review in advance of deposition with breakdown of (i) liability theories as to ATC, Geo-Systems, and Gearig; (ii) pertinent provisions from AIA Contract with ATC; (iii) opinions on repair scope by expert witnesses; and (iv) damages sought by NKD; provide to Ms. Haslinger via email along with copy of prior affidavit executed by John Henderson regarding Change Order #11	\$295.00	\$590.00
BHJ	6/7/2023	0.5	Conference following deposition of client Karl Haslinger to discuss action items and task list for remaining discovery and mediation	\$295.00	\$147.50
BHJ	6/7/2023	0.2	Telephone call and email with counsel for Gearig regarding Gearig's responses to NKD's discovery requests	\$295.00	\$59.00
BHJ	6/7/2023	0.6	Telephone calls and correspond via email with counsel for ATC regarding logistics of mediation, depositions of ATC's expert and Jonathan Whitehead; conference regarding same	\$295.00	\$177.00

ELECTRONICALLY FILED - 2023 Mar 18 5:10 PM - RICHMOND - COMMON PLEAS - CASE#2023-003915

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	6/22/2023	0.2	Correspond via email with counsel for ATC regarding status of ATC's outstanding responses to NKD's supplemental discovery requests and request to retrieve/produce John Henderson's personal file related to River Shoals	\$295.00	\$59.00
BHJ	6/14/2023	0.3	Review/analyze Gearig's Answer to ATC's pleading filed with Court	\$295.00	\$88.50
BHJ	6/30/2023	0.7	Draft Motion to Compel to file against ATC related to ATC's failure to produce: (i) personal physical file of John Henderson; and (ii) responses to NKD's Supplemental Interrogatories and Requests for Production	\$295.00	\$206.50
BHJ	6/15/2023	0.2	Conference regarding logistics for deposition of ATC's expert witness, discovery responses outstanding from Gearig Civilworks	\$295.00	\$59.00
BHJ	7/28/2023	0.4	Conference regarding remaining discovery items and depositions	\$295.00	\$118.00
BHJ	7/28/2023	0.2	Review/analyze Answer to NKD's Third-Party Complaint filed on behalf of Gearig Civilworks	\$295.00	\$59.00
BHJ	7/18/2023	0.2	Phone call and email with counsel from ATC Site Construction regarding ATC's recent Answer to NKD's Counter Claims	\$295.00	\$59.00
BHJ	7/17/2023	0.2	Correspond via email with counsel for ATC Site Construction regarding expert discovery and depositions	\$295.00	\$59.00
BHJ	7/14/2023	0.1	Receipt and review of ATC Site Construction's Notice of Deposition of Nick Leventis as served by counsel for ATC via email	\$295.00	\$29.50
BHJ	7/17/2023	0.2	Correspond via email with counsel for Gearig Civilworks regarding request for 30(b)(6) deposition of Gearig and status of Gearig's outstanding discovery responses	\$295.00	\$59.00

ELECTRONICALLY FILED - 2026 MAR 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020014003915

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	7/13/2023	0.2	Conference regarding potential mediators and mediator selection	\$295.00	\$59.00
BHJ	7/11/2023	0.1	Additional correspondence via email with counsel for Gearig Civilworks regarding status of Gearig's discovery responses	\$295.00	\$29.50
BHJ	7/11/2023	0.1	Conference regarding deposition of ATC Site Construction's expert witness, Mark Rhodes	\$295.00	\$29.50
BHJ	7/3/2023	0.7	Finalize draft of Motion to Compel with exhibits to file with Court against ATC Site Construction related to NKD's Supplemental Discovery Requests	\$295.00	\$206.50
BHJ	7/3/2023	0.4	Finalize draft of NKD's Amended Answer, Counterclaims, and Third Party Claims for filing with Court	\$295.00	\$118.00
BHJ	8/15/2023	0.2	Telephone call from counsel for ATC Site Construction regarding upcoming deposition of ATC expert Mark Rhodes	\$295.00	\$59.00
BHJ	9/5/2023	0.1	Correspond via email with counsel for Geo-Systems regarding deposition of ATC's expert witness Mark Rhodes	\$295.00	\$29.50
BHJ	8/21/2023	0.3	Conference regarding remaining depositions in case to complete prior to mediation	\$295.00	\$88.50
BHJ	8/10/2023	0.2	Finalize Second Amended Notice of Deposition of Mark Rhodes and Letter serving same to counsel for all parties	\$295.00	\$59.00
BHJ	8/2/2023	0.2	Additional correspondence via email with counsel for ATC regarding deposition of ATC expert witness, Mark Rhodes	\$295.00	\$59.00
BHJ	9/28/2023	3.5	Plan and prepare for upcoming deposition of Travis Gearig of Defendant Gearig Civilworks	\$295.00	\$1,032.50
BHJ	9/29/2023	1.2	Continued preparation for deposition of Travis Gearig of Defendant Gearig Civilworks; revise outline of proposed questions and review/analysis of proposed exhibits	\$295.00	\$354.00

ELECTRONICALLY FILED - 2023 MAR 18 5:10 PM - RICHMOND - COMMON PLEAS - CASE#2020CP4068915

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	9/29/2023	3.9	Conduct deposition of Travis Gearig of Defendant Gearig Civilworks	\$295.00	\$1,150.50
BHJ	10/11/2023	0.2	Conference regarding upcoming deposition of client Nick Leventis	\$295.00	\$59.00
BHJ	11/1/2023	0.1	Correspond via email with counsel for ATC regarding status of outstanding discovery responses of ATC	\$295.00	\$29.50
BHJ	11/1/2023	1.0	Review and assemble emails between parties related to substantial completion and Geosystems geotechnical report; correspond via email with expert witness Steve Moore regarding same in preparation for his upcoming deposition	\$295.00	\$295.00
BHJ	11/2/2023	5.0	Revise and update draft of detailed timeline and summary of events related to River Shoals from late 2020 - early 2022 to assist with (i) liquidated damages analysis, (ii) preparation for upcoming depositions of Nick Leventis, (iii) preparation for upcoming deposition of expert witness Steve Moore, and (iv) mediation	\$295.00	\$1,475.00
BHJ	11/2/2023	0.9	Participate in conducting conference call with Steve Riley at Barb & Associates regarding damages analysis for upcoming mediation	\$295.00	\$265.50
BHJ	11/14/2023	0.1	Additional correspondence via email with Susan Leitner and Richard Young regarding depositions of Ms. Leitner and Mr. Young	\$295.00	\$29.50
BHJ	11/15/2023	0.3	Correspond via email with counsel for ATC Site Construction and other Defendants regarding depositions of Susan Leitner, Richard Young, Scott Moore, Stephen Staley, and Chad Bruorton	\$295.00	\$88.50
BHJ	11/16/2023	0.2	Additional correspondence via email with Susan Bell Leitner and Richard Young confirming upcoming depositions and conference call to prepare for same	\$295.00	\$59.00

ELECTRONICALLY FILED - 2023 Mar 15 10:10 PM - RICHLAND COUNTY COMMON PLEAS - CASE# 2020CP40039

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/16/2023	0.4	Prepare/finalize draft of subpoena to Steve Ackerman (Ackerman Consulting Engineers) for copy of entire file and physical core samples and letter serving same to Mr. Ackerman	\$295.00	\$118.00
BHJ	11/27/2023	0.2	Correspond via email with counsel for ATC regarding status of ATC's outstanding responses to NKD's supplemental discovery requests	\$295.00	\$59.00
BHJ	11/22/2023	0.1	Receipt and review of Gearig's Second Set of Interrogatories regarding NKD's SCUTPA claim	\$295.00	\$29.50
BHJ	11/22/2023	0.3	Receipt and review of ATC's supplemental discovery responses with production of B&K Grading and Paving, LLC's proposal dated October 23, 2023 for road repair cost	\$295.00	\$88.50
BHJ	11/20/2023	0.2	Return telephone call from counsel for Gearig Civilworks regarding Gearig's interest in resuming settlement negotiations following mediation, inquiry of potential global demand to all parties by NKD	\$295.00	\$59.00
BHJ	11/17/2023	0.1	Receipt and review of Motion for Continuance from Trial Roster filed by ATC Site Construction	\$295.00	\$29.50
BHJ	11/17/2023	0.1	Receipt and review of Motion for Summary Judgment filed by Gearig Civilworks as to ATC's Third Party Claims	\$295.00	\$29.50
BHJ	11/20/2023	2.0	Review and analysis of invoices from Carolina Contracting to break down utility vs. road related costs; draft email to Scott at Carolina Contracting regarding same; conduct phone call with Scott at Carolina Contracting regarding same and confirm amounts of utility vs. road related costs from Carolina Contracting	\$295.00	\$590.00

ELECTRONICALLY FILED - 2023 Mar 18 5:10 PM - RICHMOND - COMMON PLEAS - CASE#2023-00345

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/20/2023	0.8	Begin preparation of NKD's damages breakdown and post mediation global settlement demand to send to all parties and mediator John Cuttino	\$295.00	\$236.00
BHJ	11/27/2023	2.8	Plan and prepare for upcoming depositions of Susan Bell Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore); draft outline for deposition preparation conference with Ms. Leitner and Mr. Young and assemble potential exhibits to review with Ms. Leitner and Mr. Young	\$295.00	\$826.00
BHJ	11/27/2023	0.9	Conduct deposition preparation phone conference with Susan Bell Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore) in advance of upcoming depositions of Ms. Leitner and Mr. Young; correspond via email following conference and provide Ms. Leitner and Mr. Young with pertinent records for review in advance of depositions	\$295.00	\$265.50
BHJ	11/27/2023	0.1	Correspond via email with counsel for all parties regarding deposition of Steve Ackerman, Susan Bell Leitner, and Richard Young	\$295.00	\$29.50
BHJ	11/28/2023	3.7	Conduct deposition of Susan Bell Leitner of LG Utility Contractors in Columbia, SC at office of counsel for ATC Site Construction	\$295.00	\$1,091.50
BHJ	11/28/2023	0.3	Draft Supplemental Answer to ATC's Interrogatories identifying David Crapps of LG Utility Contractors as additional witness who can testify as to defective site conditions and sewer line repair work completed	\$295.00	\$88.50
BHJ	11/28/2023	0.1	Correspond via email with counsel for ATC Site Construction regarding ATC's request to take deposition of David Crapps of LG Utility Contractors	\$295.00	\$29.50

ELECTRONICALLY FILED - 2023 Mar 18 5:10 PM - RICHMOND - COMMON PLEAS - CASE# 2020CP40039

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	11/29/2023	3.5	Conduct deposition of Richard Young of Carolina Tap & Bore in Columbia, SC at office of counsel for ATC Site Construction	\$295.00	\$1,032.50
BHJ	11/29/2023	0.1	Finalize Supplemental Answer to ATC's Interrogatories identifying David Crapps of LG Utility Contractors as additional witness and letter serving same to counsel for all Defendants	\$295.00	\$29.50
BHJ	11/30/2023	0.2	Correspond via email with Steve Ackerman of Ackerman Consulting Engineers regarding subpoena response and deposition request	\$295.00	\$59.00
BHJ	11/21/2023	0.7	Continued preparation of NKD's damages breakdown and review/analysis of underlying back up documentation to support same	\$295.00	\$206.50
BHJ	12/13/2023	0.2	Phone call with former Gearig employee David Leehy regarding deposition request and prior subpoena response served by Gearig	\$295.00	\$59.00
BHJ	12/15/2023	0.1	Telephone call from counsel for ATC regarding recent Requests for Admission served by ATC related to mechanics lien issues	\$295.00	\$29.50
BHJ	1/29/2024	0.4	Correspond via email with counsel for ATC regarding upcoming hearing on Motion to Compel against ATC and status of ATC's outstanding discovery responses, including John Henderson's personal physical file	\$295.00	\$118.00
BHJ	1/30/2024	0.2	Correspond via email with counsel for Geo-Systems Testing & Design regarding Geo-Systems' Answers to Interrogatories served by NKD	\$295.00	\$59.00
BHJ	1/31/2024	0.2	Review trial subpoenas served by Geo-Systems Testing & Design; conference regarding trial subpoenas to be served on behalf of NKD to list of witnesses	\$295.00	\$59.00

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHMOND - COMMON PLEAS - CASE#2020CP4068915

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	1/31/2024	0.2	Finalize Answer to Interrogatory on behalf of NKD identifying John Scott of Asphalt Paving & Maintenance and Letter serving same to opposing counsel	\$295.00	\$59.00
BHJ	2/7/2024	0.5	Prepare for hearing before Court on NKD's Motion to Compel; Gearig and Geo-Systems Motions for Summary Judgment as to claims by ATC, review respective parties court filings and memorandums of law in support of Motions	\$295.00	\$147.50
BHJ	2/13/2024	0.6	Conference regarding upcoming mediation and allocation of damages to parties for Carolina Contracting and Coogler Construction repair invoices	\$295.00	\$177.00
BHJ	2/13/2024	0.1	Follow up email to counsel for ATC regarding status of supplemental production of John Henderson personal file	\$295.00	\$29.50
BHJ	2/15/2024	0.1	Conference regarding trial being heard through special referee as opposed to jury trial	\$295.00	\$29.50
BHJ	2/19/2024	0.2	Telephone calls to foreman and site contractors from Asphalt Paving & Maintenance regarding identifying as witnesses on behalf of NKD	\$295.00	\$59.00
BHJ	2/20/2024	0.2	Correspond via email with counsel for Geo-Systems regarding (i) status of Geo-Systems Answers to Interrogatories and (ii) deposition of Steve Ackerman	\$295.00	\$59.00
BHJ	2/20/2024	0.3	Revise and finalize draft of Supplemental Answer to Interrogatory identifying Tripp Owings (Asphalt Paving & Maintenance) and James Rodgers (Carolina Contracting) as witnesses on behalf of NKD	\$295.00	\$88.50

ELECTRONICALLY FILED - 2024 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4068915

**TIME ENTRIES AND FEES FOR
BENJAMIN H. JOYCE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
BHJ	3/4/2024	2.8	Plan and prepare for upcoming deposition of Steve Ackerman, ATC consulting expert engineer, review/analyze report and subpoena response materials and prepare draft of outline of questions for Mr. Ackerman	\$295.00	\$826.00
BHJ	3/4/2024	3.5	Appear for and conduct deposition of Steve Ackerman, ATC consulting expert engineer	\$295.00	\$1,032.50
BHJ	3/5/2024	0.2	Correspond via email with B & K Grading regarding response to subpoena served by NKD	\$295.00	\$59.00
BHJ	2/20/2024	0.2	Receipt and review of response to NKD subpoena provided by B & K Grading and Paving	\$295.00	\$59.00
BHJ	2/6/2024	0.2	Correspond via email with expert witness Steve Moore regarding equipment roster produced by ATC	\$295.00	\$59.00
BHJ	2/6/2024	0.8	Review recent document production and discovery responses produced by ATC; correspond via email with counsel for ATC regarding same and NKD's Motion to Compel	\$295.00	\$236.00
BHJ	3/15/2024	0.2	Phone call with Tripp Owings of Asphalt Paving & Maintenance regarding counsel for ATC's request to conduct deposition of representative from Asphalt Paving & Maintenance	\$295.00	\$59.00
BHJ	4/1/2024	0.1	Receipt and review of email from general counsel for B & K Grading regarding B & K Grading Subpoena Response	\$295.00	\$29.50
BHJ	6/28/2024	0.3	Review mechanics lien and cash bond figures; correspond via email with Matthew Rupert and Karl Haslinger regarding same	\$295.00	\$88.50
TOTAL HOURS (BHJ):		167.2	TOTAL FEES (BHJ):	\$49,324.00	

ELECTRONICALLY FILED - 2026 MAR 18 5:18 PM - RICHMOND - COMMONWEALTH OF MASSACHUSETTS - CASE#2026CP4003915

**TIME ENTRIES AND FEES FOR
MICHELLE A. STEWART**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	9/3/2020	0.9	Assist in completion of Application for Court Bond; assemble relevant information relating to claims and review pleadings	\$250.00	\$225.00
MAS	12/16/2020	0.9	Edit and revise Defendant's First Set of Interrogatories to Plaintiff and First Request for Production	\$250.00	\$225.00
MAS	12/22/2020	3.1	Prepare letter to ATC Site Construction relating to Pavement Evaluation Remedial Recommendations Report prepared by S&ME, Inc.; review conclusions and remedial recommendations provided in the reports and review relevant provisions of the Contract Documents	\$250.00	\$775.00
MAS	10/30/2024	6.6	Continue drafting NKD's Pre-Hearing Brief; continue review of client documents relating to scope of work and role of the parties associated with the project and the discovery and extent of defects; review relevant deposition testimony from witnesses in connection with NKD's claims	\$250.00	\$1,650.00
MAS	10/31/2024	2.7	Continue drafting Pre-Hearing Brief; conduct legal research relating to mechanic's lien statute; continue review of key documents in connection with factual background and claims	\$250.00	\$675.00
MAS	11/1/2024	6.1	Continue drafting NKD's Pre-Hearing Brief; continue review of deposition testimony from the witnesses in connection with the scope of work and defects involving the roadways and utilities	\$250.00	\$1,525.00

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**TIME ENTRIES AND FEES FOR
MICHELLE A. STEWART**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	11/6/2024	5.2	Continue drafting NKD's Pre-Hearing Brief; review relevant provisions of Contract Documents relating to ATC's breaches; review transcript of deposition of Mark Rhodes relating to ATC's breaches and failures; conduct legal research relating to duty and standard of care in connection with negligence claims against ATC, Geo-Systems, and Gearig	\$250.00	\$1,300.00
MAS	11/7/2024	6.8	Continue drafting Pre-Hearing Brief; continue review of documents in the record relating to Defendants' involvement in defective roadways and utilities	\$250.00	\$1,700.00
MAS	11/9/2024	2.6	Continue drafting NKD's Pre-Hearing Brief; conduct legal research of South Carolina caselaw finding owner was justified in withholding payments to contractor and Mechanic's Lien statute; review NKD's 30(b)(6) deposition testimony relating to unfair trade practices and damages	\$250.00	\$650.00
MAS	11/11/2024	7.6	Continue drafting Pre-Hearing Brief; continue review of relevant testimony from 30(b)(6) Deposition of NKD	\$250.00	\$1,900.00
MAS	11/12/2024	8.2	Continue drafting Pre-Hearing Brief relating to NKD's claim for damages; assemble exhibits to Brief; edit and revise Pre-Hearing Brief	\$250.00	\$2,050.00
MAS	11/13/2024	5.9	Review Pre-Hearing Briefs submitted by ATC, Gearing, and Geo-Systems for arguments, legal authority, claims, and defenses; prepare outline and summary of issues raised in each Pre-Hearing Brief in advance of arbitration hearing; conduct legal research relating to delay damages and proof of damages for negligence claim	\$250.00	\$1,475.00

**TIME ENTRIES AND FEES FOR
MICHELLE A. STEWART**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	11/14/2024	8.6	Prepare direct examination outlines for Chad Bruorton, Richard Young, and Stephen Staley; review deposition testimony of each witness in connection with anticipated direct examination testimony	\$250.00	\$2,150.00
MAS	11/15/2024	4.2	Continue drafting direct examination outline for Chad Bruorton; prepare direct examination outlines for Scott Moore; review deposition testimony of each witness in connection with anticipated direct examination testimony	\$250.00	\$1,050.00
MAS	11/17/2024	8.1	Prepare direct examination outlines for Karl Haslinger and Stephen Moore; review joint exhibits and incorporate references to joint exhibits into direct examination outlines; conduct legal research relating to liquidated damages	\$250.00	\$2,025.00
MAS	11/18/2024	8.3	Prepare Master Exhibit List Index with description of relevant information contained in Arbitration Exhibits 1 - 190; review Contract Documents relating to additional obligations and available remedies for breach; continue drafting brief relating to liquidated damages as non-exclusive remedy; review transcript of deposition of Nick Leventis and draft NKD's counter-designation of deposition testimony; conduct legal research of South Carolina law relating to damages recoverable for negligence not arising out of a contractual obligation	\$250.00	\$2,075.00
MAS	11/21/2024	0.5	Prepare NKD's designation of testimony from the deposition of Stephen Staley; review Pre-Hearing Brief for references to relevant portions of Mr. Staley's deposition to be designated; draft email correspondence to counsel of record relating to NKD's Designation	\$250.00	\$125.00

**TIME ENTRIES AND FEES FOR
MICHELLE A. STEWART**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	12/5/2024	1.5	Continue drafting NKD's Post-Hearing Brief; review relevant provisions of Contract and Contract Documents relating to additional obligations and available remedies	\$250.00	\$375.00
MAS	12/6/2024	0.8	Continue drafting NKD's Post-Hearing Brief	\$250.00	\$200.00
MAS	12/9/2024	2.7	Continue drafting NKD's post-hearing brief; conduct legal research of South Carolina law relating to calculation of liquidated damages and relating to proof of proximate cause element of negligence claim	\$250.00	\$675.00
MAS	12/10/2024	6.1	Continue drafting Post-Hearing Brief; begin review of relevant portions of hearing transcript; conduct legal research of South Carolina law and other jurisdictions relating to the issues of recovery of actual damages as separate and distinct from delay damages, and arguments relating to allocation of delay damages	\$250.00	\$1,525.00
MAS	12/11/2024	0.6	Continue review of arbitration hearing transcript relating to issues identified by the panel for inclusion in post-hearing submission	\$250.00	\$150.00
MAS	12/12/2024	1.1	Review relevant portions of hearing transcript and exhibits relating to calculation of prejudgment interest and duration of liquidated damages in connection with Post-Hearing Brief	\$250.00	\$275.00
MAS	12/13/2024	4.9	Conduct legal research of South Carolina law and secondary sources relating to establishing liability for delay and circumstances requiring apportionment; continue drafting Post-Hearing Brief	\$250.00	\$1,225.00
MAS	12/16/2024	7.1	Drafting of Post-Hearing Brief and review of arbitration hearing transcript; continue legal research relating to issues addressed by Panel to be included in post-hearing submission, including duration of liquidated damages and calculation of damages	\$250.00	\$1,775.00

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

**TIME ENTRIES AND FEES FOR
MICHELLE A. STEWART**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
MAS	12/17/2024	3.4	Continue drafting Post-Hearing Brief and review of arbitration hearing transcript; conduct legal research of the Mechanic's Lien statute relating to recovery of attorney's fees and costs by prevailing party; continue legal research relating to issues addressed by Panel to be included in post-hearing submission	\$250.00	\$850.00
MAS	12/19/2024	4.0	Continue drafting Post-Hearing Brief; legal research relating to proximate cause and set off	\$250.00	\$1,000.00
MAS	12/22/2024	4.3	Continue drafting Post-Hearing Brief; continue legal research relating to project abandonment and retainage issue	\$250.00	\$1,075.00
MAS	12/23/2024	7.5	Continue drafting Post-Hearing Brief; incorporate references to hearing transcript and exhibits; conduct legal research relating to interest calculation and damages	\$250.00	\$1,875.00
TOTAL HOURS (MAS):		130.3	TOTAL FEES (MAS):	\$32,575.00	

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	5/6/2020	2.8	Review of all documents for third party testing and reports regarding soil cement design, approval and requirements of county for soil cement design for independent expert review	\$125.00	\$350.00
NMT	5/28/2020	0.8	Review of documents to determine Richland County Inspector for project; multiple telephone calls to Richland County regarding FOIA request policies	\$125.00	\$100.00
NMT	6/8/2020	1.1	Review NKD file and draft Freedom of Information Act request to Richland County	\$125.00	\$137.50
NMT	6/19/2020	0.3	Finalize and send FOIA request to Richland County	\$125.00	\$37.50
NMT	6/24/2020	0.1	Communications with Richland County regarding Freedom of Information Act Request	\$125.00	\$12.50
NMT	7/16/2020	0.6	Communications with Richland County Regarding Freedom of Information Act Requests	\$125.00	\$75.00
NMT	7/20/2020	6.5	Create slides for mediation presentation, identify documents and upload the same for mediation presentation; prepare file for mediation	\$125.00	\$812.50
NMT	8/21/2020	1.0	Receive and review pleadings from Court; review of Ackerman report and draft subpoena regarding the same	\$125.00	\$125.00
NMT	8/24/2020	0.5	Revise subpoena to Ackerman Consulting; draft correspondence to Ackerman Consulting regarding the same; serve the same on Ackerman and Russell Jeter	\$125.00	\$62.50
NMT	8/26/2020	0.8	Draft Acceptance of Service; draft correspondence regarding the same to Robert Hull; email regarding the same to Russell Jeter and Robert Hull	\$125.00	\$100.00
NMT	10/1/2020	3.1	Draft and revise Answer and Counterclaim	\$125.00	\$387.50
NMT	10/2/2020	0.6	Identify and prepare exhibits for Answer	\$125.00	\$75.00
NMT	10/2/2020	0.4	File Notice of Appearance, Answer and Counterclaim with exhibits with Court	\$125.00	\$50.00

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	10/7/2020	0.2	Email correspondence to Nick Leventis regarding all pleadings that have been filed to date	\$125.00	\$25.00
NMT	12/18/2020	1.5	Draft Responses to Discovery Requests	\$125.00	\$187.50
NMT	1/13/2021	0.2	Email with Lori Keener regarding site inspection	\$125.00	\$25.00
NMT	1/28/2021	1.2	Draft Answers to Interrogatories	\$125.00	\$150.00
NMT	2/15/2021	2.0	Code documents for production	\$125.00	\$250.00
NMT	2/26/2021	2.0	Compile Inspection Reports and create a Dropbox containing the same for key players in preparation of site inspection; review contract and draft correspondence regarding noncompliance; create dropbox for opposing counsel containing reports; emails with Nick Leventis regarding choice of contractor for remediation	\$125.00	\$250.00
NMT	3/4/2021	1.5	Review documents for production; begin correspondence for architect approval	\$125.00	\$187.50
NMT	3/9/2021	2.0	Review documents and prepare for Production	\$125.00	\$250.00
NMT	3/15/2021	3.5	Prepare document production; draft discovery responses; emails to expert witnesses for information needed to complete discovery	\$125.00	\$437.50
NMT	3/16/2021	7.0	Draft Answers to Interrogatories; download documents from Drone; finalize production and Bates, communications with experts regarding CV and past trial experience; create index of 51000 documents for production	\$125.00	\$875.00
NMT	3/17/2021	3.0	Finalize Discovery Responses and Production	\$125.00	\$375.00
NMT	3/18/2021	0.3	Revise Answers to Interrogatories	\$125.00	\$37.50
NMT	3/22/2021	1.8	Prepare additional documents for Defendant's First Supplemental Production; draft index of the same; serve additional production to opposing counsel	\$125.00	\$225.00

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	3/23/2021	0.5	Revise Responses to Requests for Production	\$125.00	\$62.50
NMT	3/24/2021	1.0	Review of all documents to determine notice to ATC regarding deficiencies	\$125.00	\$125.00
NMT	5/13/2021	0.5	Draft correspondence to opposing counsels regarding discovery and serve the same (x3)	\$125.00	\$62.50
NMT	6/8/2021	0.2	Review status of discovery to determine next steps	\$125.00	\$25.00
NMT	6/9/2021	0.5	Research with Richland County Register of Deeds for mechanic's liens	\$125.00	\$62.50
NMT	7/8/2021	0.2	Communications with Myra Rutland regarding discovery responses	\$125.00	\$25.00
NMT	7/19/2021	1.1	Draft and file Motion to Compel	\$125.00	\$137.50
NMT	11/17/2021	2.5	Begin review of Plaintiff's document production and begin separating individual documents from the 2600 page single pdf Plaintiff produced	\$125.00	\$312.50
NMT	11/18/2021	1.5	Continue review of Plaintiff's production and divide and label documents produced	\$125.00	\$187.50
NMT	11/30/2021	2.0	Continue to review and divide Plaintiff's production	\$125.00	\$250.00
NMT	12/2/2021	3.0	Continue to review and separate Plaintiff's Production	\$125.00	\$375.00
NMT	12/3/2021	1.5	Finalize Review of Plaintiff's Production	\$125.00	\$187.50
NMT	1/3/2022	0.1	Email to Karl Haslinger regarding hearing location	\$125.00	\$12.50
NMT	1/6/2022	0.1	Review court filings and docket deadlines	\$125.00	\$12.50
NMT	1/7/2022	0.9	Draft notes related to discovery deficiencies	\$125.00	\$112.50
NMT	1/17/2022	1.1	Identify materials and prepare notebook for motions hearing; email to court regarding Motion to Compel; receive and review Plaintiff's Motion in Opposition and revise notebook to reflect the same; telephone call to Geosystems regarding subpoena response	\$125.00	\$137.50

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/31/2022	1.5	Draft NKD's Second Supplemental Answers to Interrogatories; draft 6th Supplemental Production; draft correspondence to all counsel regarding the same and bates label supplemental production	\$125.00	\$187.50
NMT	2/15/2022	1.8	Draft Cash Bond to Release Mechanic's Lien and prepare exhibits for the same	\$125.00	\$225.00
NMT	2/17/2022	1.0	L&A CC Payment to Richland County Register of Deeds for monthly access to search and documents to retrieve plat needed for release of Mechanic's Lien and retrieve release once filed	\$125.00	\$125.00
NMT	2/17/2022	0.8	Revise and Finalize Release for Cash Bond; email the same to team.	\$125.00	\$100.00
NMT	2/23/2022	0.8	Draft correspondence to Walter Arnold regarding Bond to Release Mechanic's Lien; prepare FedEx of the same; email the same to Walter Arnold; to and from FedEx	\$125.00	\$100.00
NMT	4/11/2022	1.2	Review of file regarding contracts and road plans for expert; email to CEC attorney for contract; email to expert regarding road plans	\$125.00	\$150.00
NMT	4/13/2022	0.3	Review file for contracts to provide to expert; telephone call to Amanda Cristaldi to request contract	\$125.00	\$37.50
NMT	4/19/2022	0.3	Draft Notice of Filing Mechanic's Lien Bond	\$125.00	\$37.50
NMT	4/28/2022	1.5	Review of file materials and create a flash drive for Mr. Leventis	\$125.00	\$187.50
NMT	4/29/2022	1.1	Review of all file materials and ensure all items were scanned into system and review for previous productions	\$125.00	\$137.50
NMT	5/2/2022	0.1	Text to Nick Leventis regarding CPA information	\$125.00	\$12.50
NMT	7/5/2022	0.8	Draft Consent Motion to Amend; prepare exhibits and cover sheets to Amended Answer; finalize Second Amended Answer for distribution	\$125.00	\$100.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	7/7/2022	0.8	Create dropbox with all production and discovery material to date and share the same with Robert Osborne, counsel for Geosystems	\$125.00	\$100.00
NMT	7/25/2022	0.5	Finalize and file Consent Order to file Second Amended Answer and Counterclaims	\$125.00	\$62.50
NMT	7/25/2022	1.5	Draft and revise supplemental interrogatory and production responses and create dropbox regarding the same	\$125.00	\$187.50
NMT	8/9/2022	0.4	Receive Order from Court regarding Motion to Amend; finalize and electronically file Amended Answer and Counterclaims and exhibits with Court	\$125.00	\$50.00
NMT	8/9/2022	0.4	Telephone call with Skye at MGC regarding deposition dates and scheduling; emails with Trippett Bonneau regarding the same	\$125.00	\$50.00
NMT	8/3/2022	0.2	Telephone call to Richland County Clerk's office regarding Consent Order	\$125.00	\$25.00
NMT	8/10/2022	0.1	Email to Opposing Counsel regarding depositions and 30(b)(6) topics	\$125.00	\$12.50
NMT	8/12/2022	0.2	Email with Robert Osborne regarding service of Crossclaim against Geosystems	\$125.00	\$25.00
NMT	8/17/2022	0.2	Docket deposition for Plaintiff's deponents	\$125.00	\$25.00
NMT	8/22/2022	0.2	Email from Trippett Bonnet regarding depositions; email to Nick Leventis and Karl Haslinger regarding scheduling depositions	\$125.00	\$25.00
NMT	8/24/2022	0.2	Emails with Trippett Boineau and Skye Kinder regarding deposition logistics and scheduling	\$125.00	\$25.00
NMT	9/1/2022	0.5	Email to Trippett Bonneau regarding depositions and scheduling suggestions; telephone call to Mike Barb, CPA to set up conference call regarding damages; circulate invite and dial in instructions for call	\$125.00	\$62.50

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	9/2/2022	2.9	Review status of all production and inventory items needing follow up	\$125.00	\$362.50
NMT	9/2/2022	0.4	Review of all emails from September 1 through September 2 regarding production and lien waivers; email to Skye Kinder regarding deposition dates for ATC and docket the same	\$125.00	\$50.00
NMT	9/8/2022	0.8	Draft subpoena, cover letter, and exhibits to Robert Oswald, CPA; email the same to all counsel and clients; prepare service of the same	\$125.00	\$100.00
NMT	9/12/2022	0.5	Review of all Pleadings and update index to prepare file for next steps	\$125.00	\$62.50
NMT	9/14/2022	0.3	Telephone call and email with Susan Leitner at NKD regarding invoices from LG Utility Contractors; sent email confirming the same and providing my contact; create Nextpoint link for Susan to upload invoices	\$125.00	\$37.50
NMT	9/14/2022	0.1	Call to Asphalt Paving and Maintenance and left message for John regarding invoices	\$125.00	\$12.50
NMT	9/15/2022	2.5	Review of all proposed deponents; multiple communications with Skye from MKG to work on scheduling; emails to clients regarding the same; Telephone calls with Susan Leitner regarding depositions; Receive production of invoices from Susan Leitner and organize the same in Nextpoint; telephone call to Asphalt paving regarding invoices and locate all invoices to total lien waiver; review of potential filings and exhibits for Motion for Writ and Affidavit of Karl Haslinger	\$125.00	\$312.50
NMT	9/21/2022	0.6	Draft correspondence to Robert Osborne serving discovery requests; update index with served discovery and docket deadline; email to all parties regarding discovery requests	\$125.00	\$75.00

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**TIME ENTRIES AND FEES FOR
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	9/26/2022	1.2	Create spreadsheet to calculate damages as incurred from three vendors; email summary of the same to team; email opposing counsel and organize conference call	\$125.00	\$150.00
NMT	9/27/2022	0.2	Emails with Trippett Boineau regarding NKD depositions	\$125.00	\$25.00
NMT	9/27/2022	0.2	Telephone call to Robin Hoffman at Carolina Contracting and email regarding corresponding invoice for check	\$125.00	\$25.00
NMT	9/28/2022	2.3	Create reports for fees, bills, and expert costs for settlement discussions, review all deponents and create chart of potential scheduling and email the same to all parties to include Robert Osborne on the discussions on scheduling; bates label supplemental production and produce invoices and waivers from contractors; serve correspondence relating to escrow	\$125.00	\$287.50
NMT	11/30/2022	0.2	Create comparison versions of proposed order	\$125.00	\$25.00
NMT	12/2/2022	0.3	Review strategy and case status with litigation team and develop next action steps	\$125.00	\$37.50
NMT	12/7/2022	1.1	Draft Consent Order and prepare attachments for filing third amended complaint; electronically file consent order with proposed complaint and attachments	\$125.00	\$137.50
NMT	12/27/2022	0.2	Track service of Third-Party Complaint and calendar deadline for Gearig to Answer	\$125.00	\$25.00
NMT	1/3/2023	0.2	Receive and review ATC's Answer to Amended Answer, Counterclaims, and Cross-claims for claims that may need a response	\$125.00	\$25.00

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**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/9/2023	1.4	Review of Discovery production and create Dropbox for Rett Kendall as attorney for Gearig; email to Myra Rutland regarding subpoena responses not produced by Plaintiff; discuss strategy for depositions with Ellis R. Lesemann and begin execution of the same; email to Rett's paralegal Melissa sharing discovery index and productions	\$125.00	\$175.00
NMT	1/10/2023	1.7	Analyze and collect documents related to damages and prepare Dropbox of the same for Mike Barb; analyze documents needed to prove damages and create list of action items	\$125.00	\$212.50
NMT	1/11/2023	1.1	Identify additional invoices, tax records, and documents for production and pull into Nextpoint to prepare for production; begin coding of documents; identify witnesses per discussion with Ellis Lesemann for depositions and draft email regarding the same to all parties	\$125.00	\$137.50
NMT	1/12/2023	0.3	Emails with all parties regarding deposition dates; email with Rett Kendall regarding discovery previously produced and provided to his firm	\$125.00	\$37.50
NMT	1/13/2023	0.3	Emails with Melissa Taylor regarding potential deponents and identity of witnesses	\$125.00	\$37.50
NMT	1/13/2023	0.2	Receive Geo-Systems Answer to Cross- Claims and review for items needing a response	\$125.00	\$25.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/16/2023	3.8	Organize all production to date; compile documents not produced; code documents in Nextpoint; bates and finalize documents for production; draft responses to requests for production; draft correspondence regarding the same; create dropbox of documents to be produced and produce the same via email and US Mail to all parties	\$125.00	\$475.00
NMT	1/17/2023	0.2	Emails from Rett Kendall regarding Gearig discovery responses and request for extension; docket the same	\$125.00	\$25.00
NMT	1/20/2023	0.3	Create Dropbox of items evidencing financial damages	\$125.00	\$37.50
NMT	1/27/2023	0.2	Schedule and docket Zoom meeting for NKD Accountants; email to accountants regarding the same	\$125.00	\$25.00
NMT	1/30/2023	0.2	Emails with team and update Zoom meeting to discuss damages	\$125.00	\$25.00
NMT	2/6/2023	0.2	Review emails from accountants and schedule Zoom call to discuss damages calculations	\$125.00	\$25.00
NMT	2/7/2023	0.9	Revise Responses to Requests to Admit and prepare for service; draft subpoena to Ameris Bank to prepare damages calculations	\$125.00	\$112.50
NMT	2/8/2023	0.4	Draft Notice of Subpoena to all parties and revise subpoena to reflect compliance with new SC Rules of Civil Procedure	\$125.00	\$50.00
NMT	2/10/2023	1.2	Revise Notice of Subpoena, letter, and subpoena to Ameris Bank; send email regarding the same to all parties; revise NKD's Answers to Gearig's Requests for Admission; draft letter to Rhett Kendall regarding the same and email to all parties regarding NKD's Answers	\$125.00	\$150.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	2/16/2023	1.0	Research additional information as requested by Ameris Bank and provide the same to assist in subpoena response; review emails and list of possible deponents; send detailed email to opposing counsel regarding order and length of depositions	\$125.00	\$125.00
NMT	2/22/2023	0.2	Telephone call and email with Denise Stupka at Ameris Bank regarding subpoena	\$125.00	\$25.00
NMT	2/28/2023	0.2	Review rules of court and telephone call with Paul at Clerk of Court to determine proper method for filing proposed order under seal	\$125.00	\$25.00
NMT	3/6/2023	0.8	Meet with attorneys to discuss strategy for depositions; finalizing discovery; and preparing for August trial; receive Fed Ex from Ameris Bank in response to subpoena; email to Kimberly Russell at Ameris Bank to resolve issues needing clarification with subpoena response; email to court to remove motion to compel from roster	\$125.00	\$100.00
NMT	3/9/2023	0.3	Draft email to Court regarding Motion to Join and request that it be scheduled with other pending motions	\$125.00	\$37.50
NMT	3/9/2023	0.4	Telephone call to Richland County Clerk regarding filing under seal; file proposed order under seal	\$125.00	\$50.00
NMT	3/13/2023	0.3	Telephone call and email to Ameris Bank regarding subpoena response and lack of records	\$125.00	\$37.50
NMT	3/20/2023	0.3	Email to Clerk of Court and telephone call regarding adding Motion to Roster; review online pleadings in preparation of hearing	\$125.00	\$37.50

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NMT	3/21/2023	1.8	Receive Ameris Bank Subpoena response; import files from CD to Nextpoint; review and code production in Nextpoint; export files for production; draft index of production; draft supplemental responses to requests for production	\$125.00	\$225.00
NMT	3/29/2023	1.0	Draft deposition notices for ATC witnesses (*5)	\$125.00	\$125.00
NMT	3/31/2023	0.5	Draft correspondence to opposing counsel regarding depositions; emails to all parties regarding depositions; serve all deposition notices to all parties	\$125.00	\$62.50
NMT	4/17/2023	0.5	Schedule meeting and set up Zoom for deposition preparation; obtain court reporter for April 24 & 25th depositions	\$125.00	\$62.50
NMT	4/20/2023	4.2	Identify and locate deposition exhibits;	\$125.00	\$525.00
NMT	4/21/2023	5.4	Create notebooks for potential trial exhibits and deposition exhibits	\$125.00	\$675.00
NMT	4/23/2023	5.5	Prepare for depositions of John Henderson and Glenn Gentry; create file folders of all exhibits	\$125.00	\$687.50
NMT	4/24/2023	1.2	Prepare exhibits for Glenn Gentry deposition; create Nextpoint Litigation Database	\$125.00	\$150.00
NMT	4/25/2023	1.5	Identify and move potential trial exhibits to separate Nextpoint folder and identify documents by Bates number	\$125.00	\$187.50
NMT	5/1/2023	2.8	Emails with Plaintiff's counsel's office regarding deposition dates and subpoena responses; draft subpoena to Nexton; draft notice of service of subpoena to all parties; draft supplemental requests for production	\$125.00	\$350.00
NMT	5/4/2023	0.3	Discuss needs for depositions of Karl Haslinger and Nick Leventis; draft email to Trippett Boineau regarding depositions and docket the same	\$125.00	\$37.50
NMT	5/10/2023	0.2	Review deposition dates and email to team regarding strategy and dates	\$125.00	\$25.00

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	5/10/2023	1.5	Review, code, and Bates label Carolina Contracting Subpoena response; create dropbox with responsive materials	\$125.00	\$187.50
NMT	5/12/2023	0.5	Receive and download deposition transcripts; create Dropbox of the same and share with expert and clients	\$125.00	\$62.50
NMT	5/15/2023	0.5	Multiple emails and reviews for scheduling depositions	\$125.00	\$62.50
NMT	5/18/2023	0.3	Emails with opposing counsel and clients regarding depositions	\$125.00	\$37.50
NMT	5/24/2023	0.3	Emails with Nick Leventis and representatives of MGC regarding Mr. Leventis' deposition	\$125.00	\$37.50
NMT	5/24/2023	3.8	Identify exhibits and create timeline for deposition preparation	\$125.00	\$475.00
NMT	5/26/2023	0.3	File proposed consent order regarding 4th amended answer and counterclaim	\$125.00	\$37.50
NMT	5/26/2023	3.5	Prepare index of potential deposition exhibits; prepare deposition transcript notebooks; complete timeline of events	\$125.00	\$437.50
NMT	6/5/2023	0.2	Confirmation emails with all parties regarding deposition of Karl Haslinger; email to Karl Haslinger confirming the same	\$125.00	\$25.00
NMT	6/19/2023	1.8	Emails with Skye Henderson regarding depositions; draft Notice of Deposition; draft correspondence relating to deposition; serve notice of deposition; schedule court reporter; draft subpoena to Rimkus Consulting Group and correspondence regarding the same to the Rimkus Consulting Group; email Jeanne Lyles regarding mediation	\$125.00	\$225.00
NMT	6/20/2023	0.2	Email to all parties regarding second subpoena to Rimkus Consulting	\$125.00	\$25.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	6/26/2023	0.6	Receive and process deposition transcript of Karl Haslinger; email transcript to clients; create dropbox and send transcript Steve Moore; email transcript to Steve Riley	\$125.00	\$75.00
NMT	7/1/2023	0.3	Finalize Fourth Amended Answer and Counterclaims and exhibits for filing	\$125.00	\$37.50
NMT	7/3/2023	0.8	Finalize and ECF file Amended Answer and Counterclaim and Motion to Compel	\$125.00	\$100.00
NMT	7/13/2023	0.3	Emails with all parties and Bill Lyles office regarding mediation scheduling	\$125.00	\$37.50
NMT	7/14/2023	0.3	Review of emails from all parties regarding mediation; email and telephone call to John Cuttino's office regarding the same	\$125.00	\$37.50
NMT	7/17/2023	0.4	Email to Rimkus regarding deposition prepayment and change in location; emails regarding September mediation	\$125.00	\$50.00
NMT	7/24/2023	0.3	Emails with all parties regarding mediation dates	\$125.00	\$37.50
NMT	7/25/2023	1.2	Emails with all parties regarding mediation; email to clients regarding mediation date; email to mediator to place a hold on September 27; emails to Susan Leitner, Steve Moore, and Chip Bruorton regarding depositions; review of file for information on additional deponents listed	\$125.00	\$150.00
NMT	7/26/2023	0.2	Email with John Cuttino and Jeanne Lyles regarding mediation dates	\$125.00	\$25.00
NMT	7/27/2023	0.6	Emails with Ellis Lesemann, Ben Joyce, and Chad Brounorton regarding deposition parameters; emails with Skye Kinder and Trippett Boineau regarding mediation ; review court roster	\$125.00	\$75.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	7/28/2023	2.7	Meeting with Ellis Lesemann to discuss strategy, depositions, mediation, and case needs; texts with Nick Leventis regarding schedule; email to court regarding trial roster; emails with mediator regarding new dates; email to Rimkus regarding deposition of Mark Rhodes and location change	\$125.00	\$337.50
NMT	7/31/2023	0.5	Review emails from all counsel and court; review updated roster and ensure NKD has been removed; update calendar to reflect the same; email to all counsel regarding roster and potential mediation dates	\$125.00	\$62.50
NMT	8/1/2023	0.8	Draft Amended Notice of Deposition of Mark Rhodes; emails to all counsel regarding mediation dates in November; email to Skye regarding depositions they wish to schedule; serve notice of deposition of Mark Rhodes; email Chad Bruorton regarding deposition and schedule call regarding the same	\$125.00	\$100.00
NMT	8/2/2023	0.9	Email with all counsel regarding mediation scheduling; email clients regarding the same; email Barbara Gonzalez regarding amended notice of deposition for Mark Rhodes; email Garber court reporting to cancel Rhodes deposition in Columbia; email Huseby court reporting to schedule Rhodes deposition in Atlanta; telephone call to Susan Leitner regarding deposition; draft letter with amended Notice of Deposition to mail to opposing counsel	\$125.00	\$112.50
NMT	8/10/2023		Rimkus Consulting Group Invoice: Retainer for deposition of Plaintiff's expert, Mark Rhodes	\$125.00	\$0.00
NMT	8/10/2023	0.4	Create category in Nextpoint for Mark Rhodes' deposition and begin review for potential exhibits	\$125.00	\$50.00

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	8/14/2023	3.5	Review and convert Henderson deposition in preparation for Rhodes deposition; deposition preparation	\$125.00	\$437.50
NMT	8/15/2023	0.9	Telephone call from Trippet regarding Rhodes deposition; review calendar and send email to team regarding potential new dates and strategy; emails to Liz Davidson regarding rescheduling and remaining depositions; continue deposition prep	\$125.00	\$112.50
NMT	8/16/2023	0.5	Deposition scheduling emails	\$125.00	\$62.50
NMT	8/17/2023	0.2	Emails with Cameron Stephenson regarding the deposition of Travis Gearig	\$125.00	\$25.00
NMT	8/18/2023	0.8	Draft Third Amended Notice of Deposition for Mark Rhodes; draft notice of deposition for Travis Gearig; serve all notices of deposition via email; schedule court reporter	\$125.00	\$100.00
NMT	8/21/2023	1.5	Prepare for deposition of Nick Leventis before receiving notice of cancellation; create calendars of September and October and send to all parties in attempts to facilitate in scheduling remaining depositions	\$125.00	\$187.50
NMT	8/28/2023	0.2	Emails with Skye Kinder regarding deposition of Mark Rhodes and various other depositions	\$125.00	\$25.00
NMT	9/6/2023	0.2	Telephone call with Nick Leventis regarding rock blasting and depositions; email to Ellis Lesemann regarding the same	\$125.00	\$25.00
NMT	9/8/2023	0.2	Emails regarding depositions of Nick Leventis to Sky Kinder	\$125.00	\$25.00
NMT	9/14/2023	0.2	Emails with Sky Kinder regarding depositions	\$125.00	\$25.00
NMT	9/15/2023	0.5	Draft Deposition Notice for Mark Rhodes; emails with all parties regarding the same; email to Court reporter	\$125.00	\$62.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	9/19/2023	0.9	Emails with Karl Halsinger and Nick Leventis regarding scheduling depositions and mediation; review of calendar for potential alternative dates due to Mr. Leventis' daughters wedding; telephone call Nick Leventis and subsequent conversation with Ellis Lesemann regarding the same	\$125.00	\$112.50
NMT	9/21/2023	2.5	Review and organization of files to prepare for depositions and mediation	\$125.00	\$312.50
NMT	9/22/2023	4.5	Review and organization of files in preparation of depositions and mediation; draft index of all relevant documents that could be used as potential exhibits	\$125.00	\$562.50
NMT	9/24/2023	1.5	Complete index and identification of exhibits for depositions	\$125.00	\$187.50
NMT	9/25/2023	4.5	Deposition preparation for Mark Rhodes;	\$125.00	\$562.50
NMT	9/26/2023	6.5	Confirm deposition of Mark Rhodes with all parties and court reporter; continue to identify exhibits and prepare for deposition; outline issues with Rhodes report	\$125.00	\$812.50
NMT	9/27/2023	2.9	Prepare for Travis Gearig deposition	\$125.00	\$362.50
NMT	9/28/2023	4.5	Prepare for Travis Gearig Deposition; identify exhibits for deposition; draft deposition outline; participate in client update meeting; schedule depositions for Nick Leventis, Steve Moore	\$125.00	\$562.50
NMT	9/29/2023	0.9	Identify additional exhibit for deposition of Travis Gearig and send to Ben Joyce for use in deposition; emails and telephone calls with Skye Kinder regarding depositions; send DocuSign to Nick Leventis for Bruorton deposition; send email confirming deposition of Nick Leventis	\$125.00	\$112.50

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	10/2/2023	0.8	Review files and exhibits returned from depositions and organize in preparation of Nick Leventis deposition	\$125.00	\$100.00
NMT	10/3/2023	1.5	Identify exhibits used in Gearig and Rhodes deposition; update exhibit list and prepare for Nick Leventis deposition	\$125.00	\$187.50
NMT	10/9/2023	0.8	Email to Nick Leventis regarding materials for deposition prep; review drobox for items previously shared with client; begin identifying materials via Nextpoint search for emails from Nick Leventis	\$125.00	\$100.00
NMT	10/11/2023	6.5	Review all emails in preparation of Nick Leventis deposition; identify and pull emails from Nick Leventis and create indexed binder of the same; add additional exhibits to master exhibit list	\$125.00	\$812.50
NMT	10/12/2023	2.5	Review deposition of Mark Rhodes and highlight appropriate sections to assist in preparing Nick Leventis for deposition; telephone call with Nick Leventis regarding deposition preparation	\$125.00	\$312.50
NMT	10/24/2023	1.0	Send DocuSign for Chad Bruorton deposition to Nick Leventis; email to Steve Moore regarding deposition; email to Chad Bruorton regarding deposition; emails from Mike Huffstetler and Nick Leventis regarding Brounorton engagement ; discussions with legal team regarding remaining depositions	\$125.00	\$125.00
NMT	10/26/2023	0.5	Schedule Zoom call with Steve Moore; email to Trippett Bouineau regarding retainer for Chad Bruorton Deposition	\$125.00	\$62.50
NMT	10/31/2023	1.1	Emails with all counsel regarding depositions and docket new deposition dates; review of previous production and responses to discovery requests to determine additional production needed	\$125.00	\$137.50

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	11/3/2023	0.6	Revise timeline of events; draft email/memorandum regarding timeline on mechanic's lien reduction and posting of cash bond	\$125.00	\$75.00
NMT	11/6/2023	0.8	Organize Zoom meeting with Steve Moore; emails and telephone calls with Steve Moore regarding deposition; telephone call with Nikole Mergo regarding Nick Leventis deposition; emails with all parties regarding depositions; telephone calls and emails with Richland County regarding FOIA request for approvals and permits	\$125.00	\$100.00
NMT	11/8/2023	2.5	Revise all exhibits in system to match exhibit notebook indices; communications with Liz Davidson at MGC for exhibits for Steve Moore deposition	\$125.00	\$312.50
NMT	11/9/2023	1.8	Emails with Sky Kinder regarding mediation address and confirmation; email Nikole Mergo regarding mediation and email link to important documents; confer with Benjamin Joyce regarding mediation needs; receive court notice regarding trial roster; review roster and reach out to other parties on roster to determine if trial will move forward on December 4; review discovery responses for disclosure of Steve Riley and additional information to be supplemented prior to trial if mediation unsuccessful; create and circulate zoom for meeting with Steve Riley damages expert	\$125.00	\$225.00
NMT	11/10/2023	0.5	Email legal team regarding trial roster position and status; assist with exhibits for Nick Leventis Deposition	\$125.00	\$62.50
NMT	11/14/2023	0.3	Communications from Ellis Lesemann regarding additional exhibits and coordinate production and delivery of the same	\$125.00	\$37.50

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	11/27/2023	1.5	Review LG Utilities production and previously produced materials for deposition exhibits and preparation; draft index regarding the same; assist Benjamin H. Joyce with conference call to prepare deponents; emails with all parties regarding future depositions	\$125.00	\$187.50
NMT	11/29/2023	1.4	Draft letter to serve discovery responses; finalize and serve supplemental discovery responses; emails with all counsel regarding depositions; email with Trippett Bonneau regarding SME agreement and deposition	\$125.00	\$175.00
NMT	12/1/2023	0.3	Emails with all counsel regarding Chad Bruorton Deposition'; telephone call with Skye Kinder regarding Chad Bruorton Deposition	\$125.00	\$37.50
NMT	12/4/2023	0.3	Emails with Liz Davidson and Myra Rutland regarding Chad Bruorton deposition; email to Chad Bruorton regarding the same	\$125.00	\$37.50
NMT	12/5/2023	0.9	Email from Liz Davidson regarding deposition of Chad Bruorton; docket deposition details; email to Chad Bruorton regarding deposition notice; draft answer to Gearig's supplemental discovery requests	\$125.00	\$112.50
NMT	12/6/2023	3.4	Email Myra Rutland regarding deposition of Mr. Staley and docket the same; receive and download Nick Leventis deposition transcript; email Myra Rutland and Liz Davidson regarding Ackerman subpoena response; receive and download Ackerman subpoena response and cursory review of the same; draft answers to Gearig supplemental discovery requests; draft answers to Gearig interrogatories and requests for production; review of documents to include in supplemental production	\$125.00	\$425.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	12/11/2023	2.1	Emails and telephone calls with Richland County regarding lack of FOIA response; confirm Chad Bruorton deposition; prepare materials for deposition; update exhibit books for NKD	\$125.00	\$262.50
NMT	12/12/2023	0.4	Receive supplemental interrogatories and docket response to the same; review of missing information and outstanding motions that need to be resolved to push matter forward	\$125.00	\$50.00
NMT	12/14/2023	1.5	Receive and review FOIA response from Richland County and note deficiencies and note needs for additional items to request	\$125.00	\$187.50
NMT	12/15/2023	0.3	Emails with Denique Brooks at Richland County Ombudsman's office and amend FOIA to include everything Richland County Engineering Department and Planning Department would have in file from January 2022 through the present date	\$125.00	\$37.50
NMT	1/2/2024	1.6	Review Steve Ackerman Subpoena response and review Ackerman invoice; send email to Myra Rutland concerning the discrepancies in Mr. Ackerman's invoice and what was produced; revise and update Responses to Requests to Admit and Answers to Interrogatories; review supplemental discovery requests and email clients regarding the same	\$125.00	\$200.00
NMT	1/2/2024	1.8	Identify and prepare potential exhibits for Steve Staley deposition to include review of previously produced documents	\$125.00	\$225.00
NMT	1/3/2024	0.2	Emails with Myra Rutland regarding Ackerman subpoena response	\$125.00	\$25.00
NMT	1/4/2024	3.8	Review of all production for communications and references to Stephen Staley in preparation of deposition; draft deposition outline	\$125.00	\$475.00

**TIME ENTRIES AND FEES FOR
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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/5/2024	4.1	Finalize outline for Stephen Staley deposition; prepare all exhibits for deposition	\$125.00	\$512.50
NMT	1/9/2024	1.5	Receive email from Trippett Boineau regarding cancellation of Stephen Staley's deposition and remove from schedule; email to Steve Ackerman regarding discrepancies in billing and production of subpoena response; email with Paul Greathouse regarding date certain procedure; review of internal calendars and judge rosters to determine preference for weeks for date certain; email team with the same	\$125.00	\$187.50
NMT	1/12/2024	0.3	Emails with all parties regarding deposition of Stephen Staley; finalize and serve NKD's Responses to ATC's Requests for Admission	\$125.00	\$37.50
NMT	1/16/2024	0.2	Receive and review deposition notice for Stephen Staley and subpoena to Stephen Staley; confirm docketing and Zoom information	\$125.00	\$25.00
NMT	1/17/2024	0.2	Receive email from Garber Court reporting regarding Chad Bruorton deposition transcript and download the same; email deposition transcript to clients	\$125.00	\$25.00
NMT	1/19/2024	0.3	Email with Richland County Ombudsman Office regarding FOIA request; draft letter and check and FedEx the same to Richland County to receive FOIA response	\$125.00	\$37.50
NMT	1/23/2024	0.1	Emails with Skye Kinder regarding Stephen Staley deposition and Zoom information; docket the same	\$125.00	\$12.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/24/2024	2.2	Receive and review emails from Court regarding hearings on pending motions (x3); docket the same and docket deadlines for memorandums; review pleadings motions are based on; create litigation database and build documents to be used as exhibits at trial; organize documents to be produced;	\$125.00	\$275.00
NMT	1/25/2024	3.8	Review emails and files and compile documents for supplemental production; draft answers to interrogatories; draft answers to supplemental discovery requests; Draft supplemental answers to interrogatories; emails with Mike Barb and Karl Haslinger regarding information requested from opposing counsel	\$125.00	\$475.00
NMT	1/26/2024	1.5	Review of discovery produced to verify all production	\$125.00	\$187.50
NMT	1/29/2024	3.2	Receive and review ATC discovery responses and production; emails with Richland County Ombudsman's office regarding FOIA request and materials; meeting with team for trial preparation; draft supplemental discovery responses; telephone calls to 4 attorneys' offices to determine position on trial roster	\$125.00	\$400.00

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NINA M. THOMAS**

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	1/30/2024	4.1	Review of materials needed for trial presentations, exhibits, and preparation and create order list; review of all filings and communications from Rett Kendall to address his questions regarding Motion for Status Conference; review and prepare exhibits from ATC for Stephen Staley deposition; revise Stephen Staley deposition outline; email Athena at Richland County Clerk of Court to request juror list; review documents for production, code and bates NKD 6371-6530; produce the same	\$125.00	\$512.50
NMT	2/1/2024	2.9	Draft supplemental discovery responses identifying new witness in accordance with conversation with Asphalt Paving & Maintenance; finalize witness contact list; code and Bates label Richland County FOIA response; prepare for the deposition of Stephen Staley	\$125.00	\$362.50
NMT	2/6/2024	1.5	Receive email notifications and download newly filed pleadings; review emails from all parties regarding mediation, depositions, and trial (x20); draft subpoena and letter to B&K Paving;	\$125.00	\$187.50
NMT	2/7/2024	0.3	Finalize subpoena and letter to B&K Paving and serve the same	\$125.00	\$37.50
NMT	2/9/2024	0.3	Emails with all parties regarding mediation and docket the same	\$125.00	\$37.50
NMT	2/19/2024	0.2	Emails with Skye Kinder and Robert Osborne regarding Ackerman Deposition	\$125.00	\$25.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	2/13/2024	4.5	Receive, review and organize ATC's supplemental production in preparation of resumed mediation (850 pages); review file and organize previous notes; calculate damages for mediation; telephone call with Carolina Contracting to go through each line item of all invoices to determine if charge was related to sewer or road work	\$125.00	\$562.50
NMT	2/14/2024	2.6	Emails with all parties regarding Ackerman deposition (x4); emails regarding John Scott deposition (x2); continue review of ATC production; internet research on Jonathan Whitehead and email to Jonathan Whitehead	\$125.00	\$325.00
NMT	2/20/2024	0.5	Revise and serve supplemental discovery responses; draft correspondence and email regarding the same to all counsel	\$125.00	\$62.50
NMT	3/4/2024	1.0	Prepare potential exhibits for Steve Ackerman deposition	\$125.00	\$125.00
NMT	3/1/2024	1.8	Follow up on deposition of representative from Asphalt Paving; receive and review proposed order from GeoSystems; telephone call to Skye Kinder regarding deposition of Steve Ackerman; emails with all parties regarding deposition of Steve Ackerman; Nextpoint search and review of potential exhibits for Ackerman deposition	\$125.00	\$225.00
NMT	3/5/2024	0.4	Review additional exhibit from Steve Ackerman deposition and update to include in trial exhibits; email to Celleste Mallet regarding Ackerman Subpoena response	\$125.00	\$50.00
NMT	3/11/2024	0.1	Review Invoices from S&ME and confirm charges	\$125.00	\$12.50
NMT	3/20/2024	0.3	Online research regarding prior versions of Richland County Land Development Regulations	\$125.00	\$37.50
NMT	3/28/2024	0.3	Receive Ackerman deposition transcript and congruent file management	\$125.00	\$37.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	4/12/2024	0.2	Emails with Skye Kinder regarding deposition of John Scott and pending removal to arbitration	\$125.00	\$25.00
NMT	4/25/2024	1.5	Save trial exhibit and update index regarding the same; revise and finalize answers to supplemental interrogatories; Arbitrator research and begin draft memo of the same	\$125.00	\$187.50
NMT	4/29/2024	2.5	Revise Answers to all interrogatories and discovery responses that have not been served to date; update excel workbook with discovery responses and insurance information for all parties	\$125.00	\$312.50
NMT	7/2/2024	1.5	Compile potential witness list for arbitration from discovery responses; receive and review emails regarding arbitration; emails to potential witnesses for conflicts on arbitration dates	\$125.00	\$187.50
NMT	7/10/2024	0.3	Emails with all parties regarding arbitration and consent order	\$125.00	\$37.50
NMT	7/11/2024	0.2	Emails with all parties regarding arbitrators and consent order	\$125.00	\$25.00
NMT	7/22/2024	0.3	Emails from all parties regarding arbitration; docket arbitration status call	\$125.00	\$37.50
NMT	8/7/2024	0.4	Receive and download SME Subpoena Respense to MGC	\$125.00	\$50.00
NMT	8/12/2024	0.4	Receive subpoena response from ATC and import into Nextpoint	\$125.00	\$50.00
NMT	8/20/2024	0.2	Emails regarding hotel and arbitration contracts	\$125.00	\$25.00
NMT	8/27/2024	0.2	Reimport ATC SME Subpoena Response to correct errors in uploading	\$125.00	\$25.00
NMT	10/1/2024	0.3	Emails from Robert Osborne regarding deposition of Scott Moore; email with other parties regagrding the same; docket potential dates	\$125.00	\$37.50
NMT	10/2/2024	1.2	Draft Consent Scheduling Order for Arbitration Deadlines	\$125.00	\$150.00

**TIME ENTRIES AND FEES FOR
NINA M. THOMAS**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	10/7/2024	0.1	Emails with Robert Osborne regarding deposition of Scott Moore and update calendar regarding the same	\$125.00	\$12.50
NMT	10/8/2024	0.1	Email from Robert Osborne and docket date for potential 30(b)(6) deposition of NKD	\$125.00	\$12.50
NMT	10/9/2024	0.5	Meeting with Ellis Lesemann to prepare and create strategy and tasks lists for arbitration	\$125.00	\$62.50
NMT	10/14/2024	0.3	Review of emails from all counsel regarding 30(b)(6) deposition of NKD and arbitration; email to all counsel submitting signed arbitration agreement	\$125.00	\$37.50
NMT	10/16/2024	1.4	Tasks related to payment of arbitration deposit; review deadlines for briefs, witness lists, and other needs for arbitration; docket deadlines from Administrative Order; telephone calls and emails with Garber court reporting regarding availability for arbitration	\$125.00	\$175.00
NMT	10/18/2024	2.8	Review of file and NextPoint for documents and exhibits relevant to Scott Moore Deposition; create exhibits; emails with opposing counsel regarding deposition	\$125.00	\$350.00
NMT	10/20/2024	2.5	Finalize exhibits for deposition of Scott Moore; make deposition notebooks (x4); review of witnesses	\$125.00	\$312.50
NMT	10/22/2024	0.3	Emails with Trippett Boineau and Rhett Kendle regarding arbitration logistics	\$125.00	\$37.50
NMT	10/23/2024	0.4	Begin analysis of file and documents in preparation of deposition and meeting with client	\$125.00	\$50.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	10/24/2024	2.5	Telephone call with Karl Haslinger to confirm meeting for deposition prep; Research mechanic's lien issue; telephone call with Rob at Richland County Register of Deeds regarding the same; revise release of mechanic's lien; prepare exhibits; telephone call with Gayle at Harvey & Valini regarding same	\$125.00	\$312.50
NMT	10/24/2024	4.0	Depo prep	\$125.00	\$500.00
NMT	10/25/2024	1.2	Telephone calls with Celeste at Parker Poe and Veritext court reporting to obtain rough draft of deposition transcript of Scott Moore; emails from Rhett Kendall and Trippett Boinuea regarding subpoenas and witnesses; emails with all parties regarding fees for arbitration; exhibit books	\$125.00	\$150.00
NMT	10/28/2024	0.3	Update discovery index to reflect 30(b)(6) notices to NKD; email to Nicole Mergo regarding details for deposition	\$125.00	\$37.50
NMT	10/28/2024	0.6	Update exhibits with Sewer Test Results; email the same to Karl Haslinger; emails to Nicole M with deposition information; update damages chart	\$125.00	\$75.00
NMT	10/29/2024	1.5	Potential exhibits and answer questions needed for deposition and arbitration	\$125.00	\$187.50
NMT	11/1/2024	1.5	Review deadlines under arbitration order; draft NKD's identification of witnesses and produce the same to all parties; review all parties identification of witnesses	\$125.00	\$187.50
NMT	11/5/2024	3.5	Emails with Cameron Stephens and Myra Rutland regarding arbitration logistics; notify witnesses of arbitration dates and location; draft identification of exhibits; prepare 3 deposition notebooks with summaries	\$125.00	\$437.50
NMT	11/6/2024	1.5	Exhibit List and emails with all parties regarding production of the same	\$125.00	\$187.50
NMT	11/7/2024	2.8	Exhibit list	\$125.00	\$350.00

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	11/11/2024	3.2	Telephone call to Josh Rabon regarding certifications to DHEC; review supplemental loan records sent by client and bates label and produce the same; emails with all parties regarding exhibit lists; identify, gather, and label in order NKD's physical exhibits;	\$125.00	\$400.00
NMT	11/12/2024	7.5	Prepare highlighted deposition excerpts for prehearing brief; assist with exhibits to prehearing brief; review ATC and Gearing exhibits for compilation in accordance with Order; emails with Myra Rutland regarding exhibits for arbitration; review document production for bates; review damages calculations for prehearing brief	\$125.00	\$937.50
NMT	11/13/2024	9.5	Prepare Master Exhibit list, prepare for Arbitration; assemble Exhibit Books	\$125.00	\$1,187.50
NMT	11/14/2024	7.5	Complete Master exhibit lists and exhibits	\$125.00	\$937.50
NMT	11/15/2024	6.0	Prepare for arbitration	\$125.00	\$750.00
NMT	11/18/2024	3.1	Arbitration preparations; assist with TrialPad and Demonstratives	\$125.00	\$387.50
NMT	11/21/2024	1.0	Review document production and emails for August 2, 2021 letter to ATC	\$125.00	\$125.00
NMT	11/25/2024	3.1	Create exhibit of deposition designations of Steven Staley; Emails and telephone calls with court reporter and Celeste at Parker Poe regarding exhibits and transcript; create sharefile for court reporter including new exhibits introduced at trial; emails with Hotel to collect all invoices and receipts; draft memo/email to Alden Stair dividing expenses between parties	\$125.00	\$387.50
NMT	11/26/2024	0.9	Create sharefile of admitted exhibits	\$125.00	\$112.50
NMT	12/3/2024	0.3	Scan exhibit 200 and update master exhibit file link; email to court reporter regarding exhibits and transcript for post trial deadlines	\$125.00	\$37.50

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
NMT	12/4/2024	4.5	Emails with Garber Court reporting regarding transcripts; download and prepare transcripts; download and review exhibits; telephone calls with Paul Greathouse at Garber court reporting regarding logistics on transcripts, exhibits, and invoicing and correcting transcripts; pull correct exhibits and compare with transcripts; summarize 3 witness testimonies	\$125.00	\$562.50
NMT	12/5/2024	2.8	Continue review of all exhibits in transcript and send corrections to court reporter	\$125.00	\$350.00
NMT	12/9/2024	2.8	Receive and download corrected transcripts and review and correct all exhibits and update sharefile regarding the same; emails to court reporter regarding updates and corrections needed	\$125.00	\$350.00
NMT	12/10/2024	0.2	Email to all parties regarding deadlines for post trial briefs	\$125.00	\$25.00
NMT	12/10/2024	2.3	Review Nick Leventis deposition designations from all parties and highlight in pdf all designations; prepare and edits to admitted exhibit folder	\$125.00	\$287.50
NMT	12/12/2024	1.8	Make corrections to Nick Leventis' deposition excerpts in accordance with Robert Osborne's instructions; circulate revisions via email to all parties; receive invoices for transcripts and telephone calls to Garber Court Reporting regarding questions pertaining to invoice and lack of exhibit linking; review transcripts and point out examples of typos to Garber for correcting	\$125.00	\$225.00
TOTAL HOURS (NMT):		365.7	TOTAL FEES (NMT):	\$45,712.50	

**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	7/23/2021	0.2	Filed motion to dissolve mechanic's lien via the SC Judicial Department's online portal	\$125.00	\$25.00
AGC	7/23/2021	0.2	Filed Amended motion to dissolve, or in the alternative reduce the mechanic's lien via the SC Judicial Department's online portal	\$125.00	\$25.00
AGC	8/30/2021	0.5	Draft subpoena to Rimkus Consulting Group; amend Exhibit A of requested documents; draft cover letter to Rimkus Group serving subpoena	\$125.00	\$62.50
AGC	8/31/2021		Send subpoena to Rimkus Consulting Group via certified mail return receipt requested	\$125.00	\$0.00
AGC	8/31/2021		Send subpoena to registered agent for Rimkus Consulting Group via certified mail return receipt requested	\$125.00	\$0.00
AGC	9/2/2021	2.5	Review and upload documents provided by Nick Leventis into Nextpoint to prepare for production; code documents as responsive while searching for privileged material; upload unsupported MPG files into Dropbox for production; Bates label documents in Nextpoint and prepare index of produced documents	\$125.00	\$312.50
AGC	9/2/2021	0.2	Email to opposing counsel attaching letter producing documents from Nick Leventis	\$125.00	\$25.00
AGC	9/8/2021	0.2	Receipt of attorney Boineau's email regarding deposition of Geosystems; return email regarding dates available for deposition of Geosystems	\$125.00	\$25.00
AGC	9/10/2021	0.2	Receipt of email from attorney Boineau regarding video for pipe runs in materials from Nick Leventis; email to Nick Leventis regarding same	\$125.00	\$25.00

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**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

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TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	9/13/2021	0.5	Download documents sent by Rimkus in response to subpoena; import into Nextpoint for review, coding, and Bates labeling	\$125.00	\$62.50
AGC	9/28/2021	0.3	Receipt of email from Susan Leitner at LG Utility Contractors regarding pipe videos; email to Ms. Leitner requesting videos once they are done; email to Trippett Boineau regarding status of videos	\$125.00	\$37.50
AGC	9/28/2021	0.2	Email to Susan Leitner regarding October dates for site walk with ATC's expert, Mark Rhodes	\$125.00	\$25.00
AGC	9/29/2021	0.3	Call from Susan Leitner regarding walkthrough; receipt of email from Susan Leitner regarding walkthrough; email to opposing counsel regarding Leitner's availability for October 13; email to opposing counsel confirming October 20 for deposition of Joe Smith of Geosystems	\$125.00	\$37.50
AGC	9/30/2021	0.3	Receipt of email from opposing counsel regarding start time of walkthrough on October 13; email to Susan Leitner regarding start time and meeting place; email to opposing counsel regarding meeting place for walkthrough	\$125.00	\$37.50
AGC	9/30/2021	0.3	Draft Supplemental responses to request for production that formally produce NKD 005498 - 005980 and Rimkus 0001 - 1388 documents with indices	\$125.00	\$37.50
AGC	10/1/2021	0.2	Draft letter to all attorneys enclosing NKD's supplemental discovery responses of documents received from Rimkus in response to subpoena; email same along with Supplemental discovery responses to all counsel	\$125.00	\$25.00
AGC	10/8/2021	0.2	Email to Susan Leitner inquiring about new photos; receipt of email from Leitner regarding need to review photos first	\$125.00	\$25.00

**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	10/12/2021	0.2	Call Richland County Clerk of Court motions docketing clerk to inquire when motion to reduce or dismiss mechanic's lien and motion to compel will be scheduled; due to Covid motions will likely be set for January 2022; email to Ben Joyce regarding same	\$125.00	\$25.00
AGC	10/13/2021	0.2	Draft Supplemental Answers to Interrogatories naming Susan Leitner as a witness	\$125.00	\$25.00
AGC	10/13/2021	0.4	Upload photos, drawings, and notes provided by Susan Leitner to shared file and Nextpoint for coding and production;	\$125.00	\$50.00
AGC	10/15/2021	1	Arrange in chronological order and bates stamp Leitner documents in Nextpoint; create index to documents; upload documents and index to Dropbox folder; draft supplemental response to requests for production producing Leitner documents; draft letter to opposing counsel attaching supplemental discovery responses; email to opposing counsel regarding same	\$125.00	\$125.00
AGC	10/27/2021	0.2	Telephone conversation with Susan Leitner at LG Utility Contractors regrading subpoena duces tecum	\$125.00	\$25.00
AGC	11/2/2021	0.2	Download additional photos from Susan Leitner and download deposition transcript of Joe Smith of Geo Systems	\$125.00	\$25.00
AGC	11/24/2021	1	Draft subpoenas and cover letters to Robert Oswald, Gearig Brothers, and Precision Blasting; draft FOIA request form and letter requesting documents pertaining to John Henderson and ATC Construction and email same	\$125.00	\$125.00
AGC	11/24/2021		Subpoenas sent by certified mail, return receipt requested	\$125.00	\$0.00

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**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	12/3/2021	0.2	Email to counsel attaching Supplemental Responses to ATC's Requests for Production producing additional materials from LG Contractors / Susan Leitner and letter to counsel serving same	\$125.00	\$25.00
AGC	12/13/2021	0.6	Download Gearig Brothers Civilworks documents to Nextpoint to code and date; Bates label same; draft discovery response documents producing these documents; draft cover letter to opposing counsel serving supplemental discovery responses	\$125.00	\$75.00
AGC	12/15/2021	0.8	Upload Persimmon Hill documents to Nextpoint; code and bates label same for production; draft NKD's Fifth Supplemental Response to ATC's Requests for Production producing Persimmon Hill documents; draft letter to opposing counsel regarding same	\$125.00	\$100.00
AGC	12/15/2021	0.5	Draft Consent Order Allowing NKD's Amended Answer and Counterclaims; draft FOIA request to SCDOT	\$125.00	\$62.50
AGC	12/22/2021		Fee associated with filing proposed consent order allowing NKD to file Amended Answer and Counterclaims	\$125.00	\$0.00
AGC	12/22/2021	0.3	File proposed consent order allowing NKD to file Amended Answer and Counterclaims	\$125.00	\$37.50
AGC	1/5/2022	0.2	Receipt of judge's order allowing NKD to file Amended Complaint and Counterclaims; file Amended Complaint and Counterclaims via SC Judicial Department online portal	\$125.00	\$25.00
AGC	1/7/2022	0.4	Draft follow up letter to Precision Blasting; search for date Precision Blasting accepted service; email follow up letter to owner of Precision Blasting and docket for deadline	\$125.00	\$50.00

**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	1/13/2022	1.9	Organize exhibits for memorandum; highlight provisions in exhibits; research timing of filings for mechanics liens; draft paragraphs regarding timing of filing and event that starts the period for filing; file memorandum and exhibits via SC Judicial Department online filing portal; email memorandum and exhibits to Judge Holt's law clerk and all counsel	\$125.00	\$237.50
AGC	1/14/2022		SC Department of Transportation FOIA response	\$125.00	\$0.00
AGC	1/14/2022	0.3	Call SCDOT to pay for FOIA documents; receipt of FOIA response from SCDOT via email; download documents and save to shared drive	\$125.00	\$37.50
AGC	3/7/2022	0.7	Upload Precision Blasting documents into Nextpoint to code; Bates label same; download to file; draft Seventh Supplemental Responses to discovery	\$125.00	\$87.50
AGC	3/7/2022	0.2	Draft cover letter to opposing counsel attaching Seventh Discovery Responses; draft letter attaching same along with documents	\$125.00	\$25.00
AGC	3/23/2022	0.3	Upload additional materials to Dropbox file for expert Steve Moore	\$125.00	\$37.50
AGC	9/1/2022	0.7	Creation of case management chart following meeting with Ellis Lesemann and Ben Joyce regarding tasks that need to be accomplished; circulate to attorneys and paralegals	\$125.00	\$87.50
AGC	1/6/2023	0.2	Receipt of notification from clerk of court regarding case on trial roster for week of February 6; look up roster to determine case is #19; create and circulate Outlook invite regarding roster meeting on February 6 and deadline to file motion and order for continuance on January 30	\$125.00	\$25.00

**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

ELECTRONICALLY FILED - 2026 Mar 18 5:10 PM - RICHLAND - COMMON PLEAS - CASE#2020CP4003915

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
AGC	2/3/2023	0.1	Receipt of motion hearing on motion to compel subpoena response of Mr. Oswald; docket same on firm calendar	\$125.00	\$12.50
AGC	2/9/2023	0.2	Download Gearig's Motion to Dismiss Third Party Complaint and circulate to Ellis Lesemann and Ben Joyce; briefly research derivative liability case law	\$125.00	\$25.00
AGC	5/31/2023	0.4	Create spreadsheet of NKD's payments to ATC	\$125.00	\$50.00
AGC	11/16/2023	0.4	Draft cover letter and subpoena to Ackerman Consulting Engineers; prepare Exhibits A and B to subpoena; prepare certificate of authenticity; email subpoena and cover letter to Mr. Ackerman; email subpoena and cover letter to opposing counsel	\$125.00	\$50.00
AGC	11/21/2023	0.3	Telephone call with Mr. Ackerman regarding cement soil samples and production of documents in response to subpoena; email to Mr. Ackerman requesting he provide a list of sources upon which he relied in lieu of providing documents	\$125.00	\$37.50
AGC	11/1/2024	3	Summarize approximately 14 deposition transcripts with Westlaw CoCounsel AI feature and save to file for trial preparation	\$125.00	\$375.00
AGC	11/12/2024	4	Cull references to deposition excerpts from Pre-Hearing Brief and create master list of references for purpose of making exhibit cover sheets; organize references to deposition excerpts chronologically for each deposition witness and eliminate duplicate references; create cover sheets exhibits; create exhibits of deposition excerpts for Pre-Hearing Brief; upload exhibits into Dropbox folder for sharing with arbitrators	\$125.00	\$500.00

**TIME ENTRIES AND FEES FOR
ANN G. CUNNIFFE**

TIMEKEEPER	DATE	TIME	DESCRIPTION	RATE	FEE
TOTAL HOURS (AGC):		25.2	TOTAL FEES (AGC):		\$3,150.00

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**ITEMIZATION OF EXPENSES INCURRED BY NKD
SUCCESSFULLY DEFENDING AGAINST MECHANIC'S LIEN**

DATE	DESCRIPTION	AMOUNT
3/18/2020	ProLegal Discovery Solutions, Inc. Invoice No. 154580: copies of county approved plans for River Shoals development (x2)	\$261.60
3/18/2020	ProLegal Discovery Solutions, Inc. Invoice No. 154586: color copies of the soil-cement / asphalt drawing	\$16.35
7/16/2020	L&A Check No. 3117 to Richland County Ombudsman: FOIA Request fee	\$9.92
7/20/2020	ProLegal Discovery Solutions, Inc. Invoice No. 155046: oversize color digital prints in preparation for mediation	\$29.98
8/24/2020	Certified mail - Subpoena to Ackerman Consulting and Engineering	\$6.95
8/31/2021	Send subpoena to Rimkus Consulting Group via certified mail return receipt requested	\$7.53
8/31/2021	Send subpoena to registered agent for Rimkus Consulting Group via certified mail return receipt requested	\$7.53
11/2/2021	Every Word, Inc. Invoice No. 38989: 30(b)(6) deposition/transcript of Geo-System Design and Testing, Inc.	\$230.55
11/24/2021	Subpoenas sent by certified mail, return receipt requested	\$21.99
12/22/2021	Fee associated with filing proposed consent order allowing NKD to file Amended Answer and Counterclaims	\$31.74
1/4/2022	JWP Investigations, Inc. Invoice No. 22-0002: hand delivery of subpoena to Geo Systems	\$75.00
2/17/2022	L&A CC Payment to Richland County Register of Deeds for monthly access to search and documents to retrieve plat needed for bond of Mechanic's Lien and retrieve release once filed	\$29.57
3/11/2022	Applied Building Sciences Invoice No. 900.22004-01: expert engineer consulting fee	\$2,212.50
5/6/2022	Applied Building Sciences Invoice No. 900.22004-02: expert consulting, including review of file materials and preparation of Affidavit	\$4,409.95
12/15/2022	Applied Building Sciences Invoice No. 900.22004-03: expert consulting	\$175.00
3/8/2023	L&A CC Payment to Richland County Clerk of Court - Motion to Join Defendants Filing Fee	\$31.74
3/9/2023	L&A CC Payment to Richland County Clerk of Court - Filing Fee for Proposed Order	\$31.74
3/3/2023	Ameris Bank Invoice No. 2023036: subpoena response documents	\$89.91

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**ITEMIZATION OF EXPENSES INCURRED BY NKD
SUCCESSFULLY DEFENDING AGAINST MECHANIC'S LIEN**

DATE	DESCRIPTION	AMOUNT
4/28/2023	Applied Building Sciences Invoice No. 900.22004-04: expert consulting	\$120.00
5/26/2023	L&A CC Payment to Richland County Clerk of Court - Order filing fee	\$31.74
5/10/2023	Garber Reporting Service Invoice No. 26080: deposition/transcript of John Henderson (Day 1)	\$1,692.90
5/10/2023	Garber Reporting Service Invoice No. 26084: deposition/transcript of John Henderson (Day 2)	\$1,472.36
6/1/2023	Applied Building Sciences Invoice No. 900.22004-05: expert engineer consulting fee	\$2,520.00
6/27/2023	Garber Reporting Service Invoice No. 30758: deposition/transcript of Karl Haslinger	\$1,018.70
8/10/2023	Rimkus Consulting Group Invoice: Retainer for deposition of Plaintiff's expert, Mark Rhodes	\$3,860.10
10/18/2023	Garber Reporting Service Invoice No. 31900: deposition/transcript of Mark Rhodes	\$1,399.16
10/31/2023	Garber Reporting Service Invoice No. 32058: deposition/transcript of Travis Gearig	\$784.98
11/29/2023	Mileage Reimbursement: BHJ travel to/from Columbia for deposition of Richard Young (230 miles @ \$.65/mile)	\$149.50
11/28/2023	Garber Reporting Service Invoice No. 32348: deposition/transcript of Steve Moore	\$1,114.35
11/30/2023	Garber Reporting Service Invoice No. 32430: deposition/transcript of Nick Leventis	\$910.15
1/2/2024	Ackerman Consulting Engineers, LLC Invoice No. 24-80-002: document production and delivery to McAngus Goudelock Courie per subpoena request	\$760.00
1/8/2024	Garber Court Reporting Invoice No. 32731: deposition/transcript of Susan Bell Leitner	\$411.20
1/19/2024	L&A Check No. 2180 to Richland County: FOIA Request fee	\$69.99
1/10/2024	Garber Court Reporting Invoice No. 32753: deposition/transcript of Richard Young	\$396.65
1/18/2024	Garber Court Reporting Invoice No. 32825: deposition/transcript of Robert (Chad) Bruorton, PE	\$894.60
2/6/2024	Garber Reporting Invoice No. 32958: deposition/transcript of Stephen Staley	\$838.82
3/11/2024	S&ME Invoice No. 1222021: expert consulting fee - review of Staley deposition	\$187.50

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**ITEMIZATION OF EXPENSES INCURRED BY NKD
SUCCESSFULLY DEFENDING AGAINST MECHANIC'S LIEN**

DATE	DESCRIPTION	AMOUNT
3/11/2024	S&ME Invoice No. 1216400: expert consulting fee - continued preparaton for deposition	\$625.00
3/28/2024	Veritext, LLC Invoice No. 7294504: deposition/transcript of Stephen A. Ackerman, P.E.	\$647.85
3/1/2024	S&ME Invoice No. 1214249: expert consulting fee - preparation for deposition (partial payment / ATC responsible for payment of actual deposition time)	\$1,941.50
5/30/2024	Applied Building Sciences Invoice No. 900.22004-09: expert engineer consulting fee	\$175.00
9/11/2024	L&A Check 2383 to Hood Law Firm, LLC: Arbitration Panel initial deposit	\$3,250.00
11/1/2024	Womble Bond Dickinson Invoice: Arbitrator Panel Deposit Required for Arbitration (\$145,000.00 total; 1/4 split for \$36,250/per party) (NKD initial deposit of \$3,250.00 already paid)	\$33,000.00
11/4/2024	Veritext, LLC Invoice No. 7842090: deposition/transcript of James Scott Moore	\$805.45
11/4/2024	Veritext, LLC Invoice No. 7840689: 30(b)(6) deposition/transcript of NKD (Karl Haslinger)	\$1,144.23
11/26/2024	Applied Building Sciences Invoice No. 900.22004-10: Steve Moore arbitration preparation and arbitration testimony	\$13,675.32
12/5/2024	S&ME, Inc. Invoice No. 1260011: Expert witness Chad Bruorton's arbitration preparation and attendance	\$3,819.13
12/11/2024	Garber Reporting Service Invoice No. 36032: original transcript of arbitration hearing (Day 1: 11/19/24) (\$6,321.68 total; 1/4 split between 4 parties)	\$1,580.42
12/11/2024	Garber Reporting Service Invoice No. 36033: original transcript of arbitration hearing (Day 2: 11/20/24) (\$6,059.02 total; 1/3 split between 3 parties)	\$2,019.68
12/11/2024	Garber Reporting Service Invoice No. 36034: original transcript of arbitration hearing (Day 3: 11/21/24) (\$6,625.97 total; 1/3 split between 3 parties)	\$2,208.66
12/11/2024	Garber Reporting Service Invoice No. 36035: original transcript of arbitration hearing (Day 4: 11/22/24) (\$5,642.45 total; 1/3 split between 3 parties)	\$1,880.82
TOTAL EXPENSES		\$93,085.31

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Exhibit B

Combined Lesemann & Associates LLC Invoices from February 2020 – January 2025

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2608
 Date: 03/11/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	02/18/2020	ERL: Meet with Mr. Haslinger and Mr. Leventis regarding contractor dispute; review of underlying documents; review of site conditions; prepare initial strategy	6.50	\$350.00	\$2,275.00
Service	02/24/2020	ERL: Review of materials and underlying contract	0.90	\$350.00	\$315.00
Service	02/27/2020	ECH: Review and prepare physical file; upload physical documents received from client to the system and organize accordingly	1.60	\$125.00	\$200.00
Total					\$2,790.00
Payment (03/20/2020)					-\$2,790.00
Balance Owing					\$0.00

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2608	03/11/2020	\$2,790.00	\$2,790.00	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00

Total Account Balance	\$0.00
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Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2661
 Date: 04/15/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	03/06/2020	ERL: Conference call with Mr. Haslinger and Mr. Leventis regarding status	0.60	\$350.00	\$210.00
Service	03/09/2020	ERL: Tasks and conferences relating to mediation	0.30	\$350.00	\$105.00
Service	03/14/2020	ERL: Review of Contract Documents; prepare strategy for mediation and next steps	2.90	\$350.00	\$1,015.00
Service	03/16/2020	NMR: Email correspondence with Karen Jandron at Richardson Plowden regarding mediation; telephone call to Karen at Richardson Plowden confirming same	0.30	\$125.00	\$37.50
Service	03/16/2020	ERL: Tasks and communications relating to mediation and providing updates to client	0.40	\$350.00	\$140.00
Service	03/18/2020	ERL: Confer with mediator Frank Smith regarding issues and potential resolutions to contractor dispute	0.60	\$350.00	\$210.00
Service	03/18/2020	ECH: Prepare file for mediation; organize documents; correspond with Pro-Legal Copies regarding mediation documents; pick up documents from vendor	1.80	\$125.00	\$225.00
Service	03/18/2020	ERL: Prepare for mediation	1.80	\$350.00	\$630.00
Service	03/19/2020	ERL: Conduct initial mediation of dispute; obtain agreement to appoint third-party engineer; travel to/from Columbia	9.30	\$350.00	\$3,255.00
Service	03/20/2020	ECH: Review materials to provide to Engineering consultant; research, create and organize Dropbox link to files; edit graphics in Adobe	2.20	\$125.00	\$275.00

Service	03/23/2020	ERL: Confer with Mr. Haslinger regarding path forward to potential resolution of road issue and related disputes, begin memorializing terms of mediation agreement	0.40	\$350.00	\$140.00
Service	03/25/2020	MAM: Draft Interim Mediation Agreement; review mediation terms and relevant provisions of underlying Contract	2.80	\$250.00	\$700.00
Service	03/30/2020	ERL: Correspondence with Mr. Leventis and Mr. Haslinger regarding potential filing of complaint with LLR	0.30	\$350.00	\$105.00

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	03/18/2020	ProLegal Discovery Solutions, Inc. Invoice No. 154580: copies of county approved plans for River Shoals development (x2) for mediation	1.00	\$261.60	\$261.60
Expense	03/18/2020	ProLegal Discovery Solutions, Inc. Invoice No. 154586: color copies of the soil-cement / asphalt drawing for mediation	1.00	\$16.35	\$16.35

Total	\$7,325.45
Payment (04/24/2020)	-\$7,325.45
Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2661	04/15/2020	\$7,325.45	\$7,325.45	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2707
 Date: 05/18/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	04/01/2020	ERL: Prepare Interim Mediation Agreement; communications with mediator and client regarding same	1.40	\$350.00	\$490.00
Service	04/03/2020	ERL: Provide status report to client	0.30	\$350.00	\$105.00
Service	04/07/2020	ERL: Confer with clients regarding status and next steps	0.60	\$350.00	\$210.00
Service	04/09/2020	ECH: Create Summary/Outline of Contract Documents for Interim Mediation	6.20	\$125.00	\$775.00
Service	04/15/2020	ERL: Confer with Mr. Leventis; research of potential expert witnesses; confer with mediator	0.60	\$350.00	\$210.00
Service	04/20/2020	ECH: Transfer all emails off flashdrive; Review content; add to system; upload and organize on Nextpoint.	2.00	\$125.00	\$250.00
Service	04/20/2020	ERL: Finalize mediation agreement; confer with Mr. Haslinger; confer with Mr. Leventis; handle logistics relating to execution of document and resumed mediation; confer with mediator regarding status	1.10	\$350.00	\$385.00
Service	04/21/2020	ECH: Redact Contract Documents to be sent to Mr. Abernathy; finalize dropbox files.	1.20	\$125.00	\$150.00
Service	04/22/2020	ECH: Correspondence with Mr. Jeter and Mr. Buchanan regarding updated Ackerman Report and other supporting documents; Receive, review, and compare new documents; Update dropbox folder to include newly received documents; Edit Contract Documents in Adobe.	1.50	\$125.00	\$187.50

Service	04/22/2020	ERL: Review and assemble documents for submission to third-party engineer and for preparation of claims against ATC	0.80	\$350.00	\$280.00
Service	04/24/2020	NMR: Email communications with Karen Jandron regarding production to Mr. Abernathy	0.10	\$125.00	\$12.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	04/30/2020	Nextpoint, Inc. Invoice No. 22871: data import services for uploading document production	1.00	\$200.00	\$200.00
Total					\$3,255.00
Payment (05/27/2020)					-\$3,255.00
Balance Owing					\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2707	05/18/2020	\$3,255.00	\$3,255.00	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
Charleston, South Carolina (SC) 29403
(843) 724-5155

INVOICE

Invoice # 2758
Date: 06/16/2020
Due Upon Receipt

NKD, Inc.
100 Hagen Court
Lexington, SC 29072

2204.001

NKD, Inc. - Contract Dispute with ATC Site Construction, LLC

Type	Date	Description	Quantity	Rate	Total
Service	05/06/2020	NMR: Review of all documents for third party testing and reports regarding soil cement design, approval and requirements of county for soil cement design for independent expert review	2.80	\$125.00	\$350.00
Service	05/06/2020	ERL: Confer with Mr. Leventis and Mr. Haslinger regarding status and next steps	0.40	\$350.00	\$140.00
Service	05/06/2020	ERL: Address inquiries from third-party engineer relating to road situation, soil/cement specifications, and involvement of County	0.30	\$350.00	\$105.00
Service	05/18/2020	ERL: Conference with Geotechnical Engineer	0.40	\$350.00	\$140.00
Service	05/26/2020	ERL: Confer with mediator regarding status; review of SCDOT and County road specification documents; confer with Mr. Leventis; determine and implement next steps to expedite progress	1.50	\$350.00	\$525.00
Service	05/28/2020	NMR: Review of documents to determine Richland County Inspector for project; multiple telephone calls to Richland County regarding ☐ OIA request policies	0.80	\$125.00	\$100.00

Total	\$1,360.00
Payment (06/23/2020)	-\$1,360.00
Balance Owning	\$0.00

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Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2758	06/16/2020	\$1,360.00	\$1,360.00	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2812
 Date: 07/16/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	06/08/2020	NMR: Review NKD file and draft Freedom of Information Act request to Richland County	1.10	\$125.00	\$137.50
Service	06/19/2020	ERL: Prepare, revise and submit OIA request to Richland County relating to River Shoals	0.40	\$350.00	\$140.00
Service	06/19/2020	NMR: Finalize and send OIA request to Richland County	0.30	\$125.00	\$37.50
Service	06/22/2020	ERL: Provide update to client regarding status and responding to inquiries	0.40	\$350.00	\$140.00
Service	06/24/2020	NMR: Communications with Richland County regarding Freedom of Information Act Request	0.10	\$125.00	\$12.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	06/19/2020	L&A Check No. 3092 to Richardson Plowden & Robinson, P.A.: Lane Abernathy engineering expert consulting fees (1/2 split with Frank Smith)	1.00	\$7,500.00	\$7,500.00

Total **\$7,667.50**
Payment (07/22/2020) **-\$7,667.50**
Balance Owning **\$0.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2812	07/16/2020	\$7,967.50	\$7,967.50	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2870
 Date: 08/11/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	07/03/2020	ERL: Conferences with Frank Smith and opposing counsel regarding third-party engineer and upcoming mediation	0.80	\$350.00	\$280.00
Service	07/16/2020	NMR: Communications with Richland County Regarding Freedom of Information Act Requests	0.60	\$125.00	\$75.00
Service	07/20/2020	NMR: Telephone call with Karen at Frank Smith's Office regarding mediation	0.20	\$125.00	\$25.00
Service	07/20/2020	ERL: Prepare for mediation; confer with Mr. Leventis	3.10	\$350.00	\$1,085.00
Service	07/20/2020	NMR: Create slides for mediation presentation, identify documents and upload the same for mediation presentation; prepare file for mediation	6.50	\$125.00	\$812.50
Service	07/20/2020	ECH: Upload, review, organize, and bind documents from Russell Jeter for mediation; coordinate printing the 11 x 17 delay chart provided by Mr. Jeter with ProLegal solutions; assist Mr. Lesemann and Ms. Rogers with preparation	2.50	\$125.00	\$312.50
Service	07/21/2020	ERL: Conduct mediation; travel to/from mediation; confer with clients and explore potential settlement to allow for resumption of development project	15.10	\$350.00	\$5,285.00
Service	07/21/2020	ERL: Confer with Mr. Haslinger regarding proposed settlement and status	0.40	\$350.00	\$140.00
Service	07/22/2020	ERL: Follow up tasks and conferences relating to potential settlement	0.40	\$350.00	\$140.00

Service	07/31/2020	ERL: Confer with Mr. Leventis; prepare list of items to be accomplished; review status report from CEC; conduct conference call with Mr. Leventis and Mr. Haslinger	0.80	\$350.00	\$280.00
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Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	07/16/2020	L&A Check No. 3117 to Richland County Ombudsman: ☐ OIA Request fee	1.00	\$9.92	\$9.92
Expense	07/20/2020	ProLegal Discovery Solutions, Inc. Invoice No. 155045: duplication of binder in preparation for mediation	1.00	\$227.23	\$227.23
Expense	07/20/2020	ProLegal Discovery Solutions, Inc. Invoice No. 155046: oversize color digital prints in preparation for mediation	1.00	\$29.98	\$29.98

Discount 10.0% (-\$70.21)

Courtesy discount of 10% applied per ERL

Total \$7,331.22

Payment (08/20/2020) -\$7,331.22

Balance Owning \$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2870	08/11/2020	\$7,831.92	\$7,831.92	\$0.00

Account	Balance
Service ☐ rst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2928
 Date: 09/14/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	08/03/2020	ERL: Confer with representative of S&ME regarding pavement investigation	0.50	\$350.00	\$175.00
Service	08/05/2020	ERL: Review of communications, status reports, and proposals for scope of repair	0.30	\$350.00	\$105.00
Service	08/20/2020	ERL: Confer with Mr. Leventis; prepare allegations for Complaint	0.60	\$350.00	\$210.00
Service	08/20/2020	JTP: draft Complaint	3.50	\$250.00	\$875.00
Service	08/21/2020	NMR: Receive and review pleadings from Court; review of Ackerman report and draft subpoena regarding the same	1.00	\$125.00	\$125.00
Service	08/24/2020	ERL: Tasks and conferences relating to subpoena to Ackerman Engineers	0.30	\$350.00	\$105.00
Service	08/24/2020	NMR: Revise subpoena to Ackerman Consulting; draft correspondence to Ackerman Consulting regarding the same; serve the same on Ackerman and Russell Jeter	0.50	\$125.00	\$62.50
Service	08/25/2020	ERL: Conferences with Mr. Leventis and Mr. Haslinger regarding status, substitute contractors, remaining scope of work, and resolving mechanics' lien	0.50	\$350.00	\$175.00
Service	08/26/2020	NMR: Draft Acceptance of Service; draft correspondence regarding the same to Robert Hull; email regarding the same to Russell Jeter and Robert Hull	0.80	\$125.00	\$100.00

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	08/24/2020	Certified mail - Subpoena to Ackerman Consulting and Engineering	1.00	\$6.95	\$6.95
Expense	08/24/2020	Copy of Subpoena to Ackerman to Russell Jeter	1.00	\$0.65	\$0.65
Total					\$1,440.10
Payment (09/24/2020)					-\$1,440.10
Balance Owing					\$0.00

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2928	09/14/2020	\$1,940.10	\$1,940.10	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 2993
 Date: 10/19/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	09/03/2020	MAM: Assist in completion of Application for Court Bond; assemble relevant information relating to claims and review pleadings	0.90	\$250.00	\$225.00
Service	09/22/2020	ERL: Review of initial findings of consulting engineer; confer with Mr. Bruorton and Mr. Leventis	0.90	\$350.00	\$315.00

Total **\$540.00**

Payment (11/01/2020) **-\$540.00**

Balance Owning **\$0.00**

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
2993	10/19/2020	\$540.00	\$540.00	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3051
 Date: 11/24/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	10/01/2020	NMR: Draft and revise Answer and Counterclaim	3.10	\$125.00	\$387.50
Service	10/02/2020	NMR: Identify and prepare exhibits for Answer	0.60	\$125.00	\$75.00
Service	10/02/2020	NMR: File Notice of Appearance, Answer and Counterclaim with exhibits with Court	0.40	\$125.00	\$50.00
Service	10/07/2020	NMR: Email correspondence to Nick Leventis regarding all pleadings that have been filed to date	0.20	\$125.00	\$25.00
Service	10/07/2020	ERL: Conduct call with clients to review status and strategy	1.20	\$350.00	\$420.00
Service	10/07/2020	ECH: Consult with Mr. Lesemann regarding strategies for Discovery; research and begin drafting Interrogatories and Requests for Production to be sent to Plaintiff	4.50	\$125.00	\$562.50
Service	10/08/2020	ECH: Continue research; begin drafting Requests for Admission to be served upon Plaintiff	2.50	\$125.00	\$312.50
Service	10/28/2020	ERL: Prepare for conference call; conference call with client	1.10	\$350.00	\$385.00
Service	10/28/2020	ERL: Review of agreement with describing scope of additional testing; confer with Mr. Leventis regarding same	0.70	\$350.00	\$245.00
Service	10/30/2020	ERL: Tasks and conferences relating to scope of work needed to resolve issues and move forward with development	0.50	\$350.00	\$175.00

Total **\$2,637.50**

Payment (12/10/2020) **-\$2,637.50**

Balance Owing **\$0.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3051	11/24/2020	\$2,637.50	\$2,637.50	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

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Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
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 (843) 724-5155

INVOICE

Invoice # 3120
 Date: 12/09/2020
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	11/02/2020	ERL: Confer with Mr. Haslinger regarding next steps, status of discussions with County, and working towards a completed scope of repair	0.40	\$350.00	\$140.00
Service	11/30/2020	ERL: Confer with insurance counsel for ATC	0.30	\$350.00	\$105.00
Total					\$245.00
Payment (02/01/2021)					-\$245.00
Balance Owing					\$0.00

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3120	12/09/2020	\$245.00	\$245.00	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3224
 Date: 01/25/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	12/16/2020	MAM: Edit and revise Defendant's First Set of Interrogatories to Plaintiff and First Request for Production	0.90	\$250.00	\$225.00
Service	12/18/2020	NMT: Draft Responses to Discovery Requests	1.50	\$125.00	\$187.50
Service	12/21/2020	ERL: Prepare letter to contractor; confer with Mr. Leventis	2.20	\$350.00	\$770.00
Service	12/22/2020	MAM: Prepare letter to ATC Site Construction relating to Pavement Evaluation Remedial Recommendations Report prepared by S&ME, Inc.; review conclusions and remedial recommendations provided in the reports and review relevant provisions of the Contract Documents	3.10	\$250.00	\$775.00

Total **\$1,957.50**

Payment (02/01/2021) **-\$1,957.50**

Balance Owing **\$0.00**

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3224	01/25/2021	\$1,957.50	\$1,957.50	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3266
 Date: 02/18/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	01/13/2021	NMT: Email with Lori Keener regarding site inspection	0.20	\$125.00	\$25.00
Service	01/19/2021	ERL: Call with Mr. Leventis to review status, strategy, and next steps	0.90	\$375.00	\$337.50
Service	01/28/2021	NMT: Draft Answers to Interrogatories	1.20	\$125.00	\$150.00
Total					\$512.50
Payment (02/25/2021)					-\$512.50
Balance Owing					\$0.00

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3266	02/18/2021	\$512.50	\$512.50	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

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Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

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 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3314
 Date: 03/23/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	02/04/2021	ERL: Travel to Columbia; meeting with Mr. Leventis and Mr. Haslinger regarding status, strategy, and next steps	4.20	\$350.00	\$1,470.00
Service	02/10/2021	NMT: Review documents in Nextpoint	1.00	\$125.00	\$125.00
Service	02/11/2021	ERL: Confer with Mr. Haslinger regarding bid for road repairs and next steps	0.40	\$375.00	\$150.00
Service	02/12/2021	ERL: Review and approval of proposed utility easement; communicate with client regarding same	0.50	\$375.00	\$187.50
Service	02/12/2021	NMT: Review and code documents for production	3.50	\$125.00	\$437.50
Service	02/15/2021	NMT: Code documents for production	2.00	\$125.00	\$250.00
Service	02/19/2021	JTP: drafting Amended Answer and Counterclaims, to add support to claim for UTPA and add claims for Negligence and Negligent Misrepresentation	2.50	\$250.00	\$625.00
Service	02/26/2021	NMT: Compile Inspection Reports and create a Dropbox containing the same for key players in preparation of site inspection; review contract and draft correspondence regarding noncompliance; create dropbox for opposing counsel containing reports; emails with Nick Leventis regarding choice of contractor for remediation	2.00	\$125.00	\$250.00

Total	\$3,450.00
Payment (03/31/2021)	-\$3,450.00
Balance Owning	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3314	03/23/2021	\$3,495.00	\$3,495.00	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
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 (843) 724-5155

INVOICE

Invoice # 3372
 Date: 04/22/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	03/02/2021	ERL: Travel to River Shoals; conduct site visit; return to Charleston	6.70	\$375.00	\$2,512.50
Service	03/04/2021	ERL: Tasks and conferences relating to approvals of contractor and bid amount to conduct the needed repair work on the roads	3.20	\$375.00	\$1,200.00
Service	03/04/2021	NMT: Review documents for production; begin correspondence for architect approval	1.50	\$125.00	\$187.50
Service	03/05/2021	ERL: Conference with Leigh Leventis	0.30	\$375.00	\$112.50
Service	03/09/2021	NMT: Review documents and prepare for Production	2.00	\$125.00	\$250.00
Service	03/12/2021	SA□: Review documents for production	0.50	\$125.00	\$62.50
Service	03/15/2021	NMT: Prepare document production; draft discovery responses; emails to expert witnesses for information needed to complete discovery	3.50	\$125.00	\$437.50
Service	03/15/2021	ERL: Conference with Mr. Leventis regarding status and strategy	0.70	\$375.00	\$262.50
Service	03/16/2021	NMT: Draft Answers to Interrogatories; download documents from Drone; finalize production and Bates, communications with experts regarding C□ and past trial experience; create index of 51000 documents for production	7.00	\$125.00	\$875.00
Service	03/17/2021	NMT: □nalize Discovery Responses and Production	3.00	\$125.00	\$375.00
Service	03/18/2021	ERL: Prepare and revise NKD's Answers to	2.50	\$375.00	\$937.50

Interrogatories; transmit to opposing counsel					
Service	03/18/2021	NMT: Revise Answers to Interrogatories	0.30	\$125.00	\$37.50
Service	03/19/2021	SA□: Draft correspondence to all counsel regarding Defendant, NKD, Inc.'s Answers to Plaintiff's Interrogatories; finalize and prepare same for service	0.40	\$125.00	\$50.00
Service	03/22/2021	NMT: Prepare additional documents for Defendant's □irst Supplemental Production; draft index of the same; serve additional production to opposing counsel	1.80	\$125.00	\$225.00
Service	03/23/2021	NMT: Revise Responses to Requests for Production	0.50	\$125.00	\$62.50
Service	03/24/2021	NMT: Review of all documents to determine notice to ATC regarding deficiencies	1.00	\$125.00	\$125.00

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	03/31/2021	Nextpoint Invoice No. IN□-1088: uploading and coding of client documents for discovery response production	1.00	\$3,400.00	\$3,400.00

Total	\$11,112.50
Payment (04/2□/2021)	-\$11,112.50
Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3372	04/22/2021	\$11,112.50	\$11,112.50	\$0.00

Account	Balance
Service□irst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3494
 Date: 06/21/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	05/13/2021	NMT: Draft correspondence to opposing counsels regarding discovery and serve the same (x3)	0.50	\$125.00	\$62.50
Service	05/13/2021	BHJ: Conference regarding discovery and Amended Answer and Counterclaims to be drafted	0.20	\$295.00	\$59.00
Service	05/13/2021	BHJ: Draft/revise and finalize drafts of discovery requests for service on ATC	1.50	\$295.00	\$442.50
Service	05/13/2021	BHJ: Drafting of Amended Answer and Counterclaims on behalf of NKD; review/analyze inspection reports to utilize and incorporate as allegations in same	2.90	\$295.00	\$855.50
Service	05/14/2021	BHJ: Correspond via email with clients regarding discovery served on ATC	0.10	\$295.00	\$29.50
Service	05/14/2021	BHJ: Finalize draft of Amended Answer and Counterclaims on behalf of NKD to be filed with Court	0.50	\$295.00	\$147.50

Total **\$1,516.50**

Payment (07/02/2021) **-\$1,516.50**

Balance Owning **\$0.00**

Detailed Statement of Account**Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3494	06/21/2021	\$1,596.50	\$1,596.50	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3555
 Date: 07/20/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	06/08/2021	NMT: Review status of discovery to determine next steps	0.20	\$125.00	\$25.00
Service	06/08/2021	ERL: Tasks and conferences relating to Amended Complaint, discovery requests, expert witnesses, and motion to reduce bond amount	0.30	\$375.00	\$112.50
Service	06/08/2021	BHJ: Conference regarding mechanics lien, discovery items	0.30	\$295.00	\$88.50
Service	06/08/2021	BHJ: Conduct public index searches for other lawsuits involving ATC in South Carolina; review/analyze collection lawsuit against ATC	0.30	\$295.00	\$88.50
Service	06/09/2021	NMT: Research with Richland County Register of Deeds for mechanic's liens	0.50	\$125.00	\$62.50
Service	06/09/2021	BHJ: Telephone calls with Richland County Clerk of Court regarding NKD/ATC mechanics lien filing	0.40	\$295.00	\$118.00
Service	06/09/2021	BHJ: Review/analyze timing of filing of mechanics lien by ATC; research South Carolina common law and statutory law regarding validity and enforcement of mechanics lien; review client documents regarding final date ranges for labor, services, and materials provided by ATC	3.50	\$295.00	\$1,032.50
Service	06/10/2021	BHJ: Conference call with clients Nick Leventis and Karl Haslinger regarding litigation status, expert report of ATC, mechanics lien issue, etc.	1.50	\$295.00	\$442.50

Total **\$1,700.00**

Payment (07/26/2021) **-\$1,700.00**

Balance Owning **\$0.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3555	07/20/2021	\$1,970.00	\$1,970.00	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3615
 Date: 08/26/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	07/08/2021	NMT: Communications with Myra Rutland regarding discovery responses	0.20	\$125.00	\$25.00
Service	07/14/2021	ERL: Tasks and conferences relating to potential dissolution of mechanic's lien	0.40	\$375.00	\$150.00
Service	07/14/2021	BHJ: Conference regarding mechanic's lien reduction/dissolution analysis and motion regarding same to be filed with court	0.10	\$295.00	\$29.50
Service	07/19/2021	NMT: Draft and file Motion to Compel	1.10	\$125.00	\$137.50
Service	07/19/2021	BHJ: Finalize draft of Motion to Compel discovery responses for filing with Court	0.30	\$295.00	\$88.50
Service	07/19/2021	BHJ: Conference regarding filing of Motion for Dissolution / Reduction of Mechanics Lien	0.10	\$295.00	\$29.50
Service	07/21/2021	BHJ: Research of pertinent South Carolina case law in preparation of drafting Motion for Dissolution / Reduction of Mechanics Lien	1.00	\$295.00	\$295.00
Service	07/23/2021	AGC: Filed motion to dissolve mechanic's lien via the SC Judicial Department's online portal	0.20	\$125.00	\$25.00
Service	07/23/2021	AGC: Filed Amended motion to dissolve, or in the alternative reduce the mechanic's lien via the SC Judicial Department's online portal	0.20	\$125.00	\$25.00
Service	07/23/2021	BHJ: Draft/finalize Motion to Dissolve Mechanic's lien and file same with Court; correspond via email with clients Karl Haslinger and Nick Leventis regarding same	0.50	\$295.00	\$147.50
Service	07/26/2021	ERL: Tasks and conferences relating to discovery, efforts to dissolve lien, and correction of issues with the property	0.40	\$375.00	\$150.00

Service	07/26/2021	BHJ: Conference regarding amendment to Answer filed with Court	0.10	\$295.00	\$29.50
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Total	\$1,132.00
Payment (08/01/2021)	-\$1,132.00
Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3615	08/26/2021	\$1,132.00	\$1,132.00	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

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 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3669
 Date: 09/23/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	08/26/2021	BHJ: Draft letter to counsel for ATC regarding notice of additional defects, sewer issues; correspond via email with clients Nick Leventis and Karl Haslinger regarding same	1.00	\$295.00	\$295.00
Service	08/26/2021	BHJ: Conference regarding notice letter to counsel for ATC regarding additional defects discovered at site	0.20	\$295.00	\$59.00
Service	08/27/2021	ERL: Address issues relating to additional issues and damages; finalize letter to opposing counsel	0.30	\$375.00	\$112.50
Service	08/30/2021	AGC: Draft subpoena to Rimkus Consulting Group; amend Exhibit A of requested documents; draft cover letter to Rimkus Group serving subpoena	0.50	\$125.00	\$62.50
Service	08/30/2021	BHJ: Telephone call with counsel for ATC regarding notice of additional defects; status of discovery responses from ATC	0.20	\$295.00	\$59.00
Service	08/30/2021	BHJ: Draft letter for client Nick Leventis regarding notice of additional defects to send to ATC; correspond via email with client Nick Leventis regarding same	0.30	\$295.00	\$88.50
Service	08/30/2021	BHJ: Revise draft of Amended Answer and Counterclaims against ATC Site Construction to incorporate claims regarding additional defects found at site	0.50	\$295.00	\$147.50
Service	08/30/2021	BHJ: Draft/finalize subpoena to liability expert for ATC, Mark Rhodes, and letter serving same	0.50	\$295.00	\$147.50

Service	08/31/2021	BHJ: Telephone call with client Nick Leventis regarding additional defects found at site	0.40	\$295.00	\$118.00
Service	08/31/2021	BHJ: Correspond via email with client Nick Leventis regarding photographs and video footage of additional defects related to sewer system at site	0.30	\$295.00	\$88.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	08/31/2021	Certified mail: Send subpoena to Rimkus Consulting Group via certified mail return receipt requested	1.00	\$7.53	\$7.53
Expense	08/31/2021	Certified mail: Send subpoena to registered agent for Rimkus Consulting Group via certified mail return receipt requested	1.00	\$7.53	\$7.53

Total **\$1,113.06**

Payment (10/13/2021) **-\$1,113.06**

Balance Owing **\$0.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3669	09/23/2021	\$1,193.06	\$1,193.06	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3726
 Date: 10/28/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	09/02/2021	AGC: Review and upload documents provided by Nick Leventis into Nextpoint to prepare for production; code documents as responsive while searching for privileged material; upload unsupported MPG files into Dropbox for production; Bates label documents in Nextpoint and prepare index of produced documents	2.50	\$125.00	\$312.50
Service	09/02/2021	AGC: Email to opposing counsel attaching letter producing documents from Nick Leventis	0.20	\$125.00	\$25.00
Service	09/02/2021	BHJ: Telephone call and email with clients Nick Leventis and Karl Haslinger regarding additional defect issue; revise draft of letter for Mr. Leventis to send to ATC regarding same	0.50	\$295.00	\$147.50
Service	09/02/2021	BHJ: Telephone call and email with Susan Leitner, utility contractor for water/sewer issues	0.50	\$295.00	\$147.50
Service	09/08/2021	AGC: Receipt of attorney Boineau's email regarding deposition of Geosystems; return email regarding dates available for deposition of Geosystems	0.20	\$125.00	\$25.00
Service	09/10/2021	AGC: Receipt of email from attorney Boineau regarding video for pipe runs in materials from Nick Leventis; email to Nick Leventis regarding same	0.20	\$125.00	\$25.00
Service	09/13/2021	AGC: Download documents sent by Rimkus in response to subpoena; import into Nextpoint for review, coding, and Bates labeling	0.50	\$125.00	\$62.50
Service	09/13/2021	BHJ: Review/analyze letter from Rimkus (expert for ATC) regarding objections to subpoena; correspond via email with subpoena counsel regarding same	0.30	\$295.00	\$88.50

Service	09/14/2021	SA□: Review documents from Rimkus Consulting Group, Inc. from Subpoena and coded in Nextpoint	1.50	\$125.00	\$187.50
Service	09/16/2021	BHJ: Conference regarding Motion to Compel; remaining discovery; inspection	0.40	\$295.00	\$118.00
Service	09/24/2021	BHJ: Correspond via email with opposing counsel for ATC regarding site inspection with ATC expert witness and Susan Leitner	0.10	\$295.00	\$29.50
Service	09/28/2021	AGC: Receipt of email from Susan Leitner at LG Utility Contractors regarding pipe videos; email to Ms. Leitner requesting videos once they are done; email to Trippett Boineau regarding status of videos	0.30	\$125.00	\$37.50
Service	09/28/2021	AGC: Email to Susan Leitner regarding October dates for site walk with ATC's expert, Mark Rhodes	0.20	\$125.00	\$25.00
Service	09/29/2021	AGC: Call from Susan Leitner regarding walkthrough; receipt of email from Susan Leitner regarding walkthrough; email to opposing counsel regarding Leitner's availability for October 13; email to opposing counsel confirming October 20 for deposition of Joe Smith of Geosystems	0.30	\$125.00	\$37.50
Service	09/30/2021	AGC: Receipt of email from opposing counsel regarding start time of walkthrough on October 13; email to Susan Leitner regarding start time and meeting place; email to opposing counsel regarding meeting place for walkthrough	0.30	\$125.00	\$37.50
Service	09/30/2021	AGC: Draft Supplemental responses to request for production that formally produce NKD 005498 - 005980 and Rimkus 0001 - 1388 documents with indices	0.30	\$125.00	\$37.50
				Total	\$1,343.50
				Payment (11/17/2021)	-\$1,343.50
				Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3726	10/28/2021	\$1,343.50	\$1,343.50	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3789
 Date: 11/23/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	09/29/2021	BHJ: Receipt and review of Notice of Deposition of Joe Smith and Certificate of Service as served by counsel for ATC via email	0.10	\$295.00	\$29.50
Service	10/01/2021	AGC: Draft letter to all attorneys enclosing NKD's supplemental discovery responses of documents received from Rinkus in response to subpoena; email same along with Supplemental discovery responses to all counsel	0.20	\$125.00	\$25.00
Service	10/08/2021	AGC: Email to Susan Leitner inquiring about new photos; receipt of email from Leitner regarding need to review photos first	0.20	\$125.00	\$25.00
Service	10/12/2021	AGC: Call Richland County Clerk of Court motions docketing clerk to inquire when motion to reduce or dismiss mechanic's lien and motion to compel will be scheduled; due to Covid motions will likely be set for January 2022; email to Ben Joyce regarding same	0.20	\$125.00	\$25.00
Service	10/13/2021	AGC: Draft Supplemental Answers to Interrogatories naming Susan Leitner as a witness	0.20	\$125.00	\$25.00
Service	10/13/2021	BHJ: Attend site inspection at River Shoals in Columbia with Susan Leitner (LG Utility Contractors), Richard Young (Carolina Tap & Bore), and Mark Rhoads (Rimkus - ATC Expert Witness) to discuss and review repair work performed by LG Utility Contractors and Carolina Tap & Bore	5.00	\$295.00	\$1,475.00
Service	10/13/2021	BHJ: Review/analyze notated plats, handwritten	0.30	\$295.00	\$88.50

		notes, and photographs regarding repair work provided by Susan Leitner (LG Utility Contractors) in advance of producing same as part of NKD's Supplemental Responses to ATC's Requests for Production			
Service	10/13/2021	BHJ: Finalize drafts of NKD's Supplemental Answers to ATC's Interrogatories identifying Susan Leitner (LG Utility Contractors) and Richard Young (Carolina Tap & Bore) as witnesses and NKD's Supplemental Responses to ATC's Requests for Production producing recent documentation from LG Utility Contractors and Letters serving same to opposing counsel for ATC	0.30	\$295.00	\$88.50
Service	10/13/2021	AGC: Upload photos, drawings, and notes provided by Susan Leitner to shared file and Nextpoint for coding and production;	0.40	\$125.00	\$50.00
Service	10/14/2021	SA: Reviewed documents in Nextpoint and coded them for document production	1.00	\$125.00	\$125.00
Service	10/15/2021	AGC: Arrange in chronological order and bates stamp Leitner documents in Nextpoint; create index to documents; upload documents and index to Dropbox folder; draft supplemental response to requests for production producing Leitner documents; draft letter to opposing counsel attaching supplemental discovery responses; email to opposing counsel regarding same	1.00	\$125.00	\$125.00
Service	10/20/2021	BHJ: Conference regarding deposition of Joe Smith of Geosystems and pertinent items to address during deposition	0.50	\$295.00	\$147.50
Service	10/20/2021	ERL: Review of topics and issues for deposition of Joe Smith of GeoSystems	0.40	\$375.00	\$150.00
Service	10/20/2021	BHJ: Tasks related to preparation for upcoming deposition of Joe Smith of Geosystems including review of Geosystems subpoena response materials, Richland County road design standards, and SM&E Reports	2.50	\$295.00	\$737.50
Service	10/20/2021	NMT: Email all counsel index of documents produced in March, and create index of search term "Geo Systems" and provide to opposing counsel as well	0.30	\$125.00	\$37.50
Service	10/20/2021	BHJ: Attend/appear for deposition of Joe Smith of Geosystems as noticed by counsel for ATC	2.80	\$295.00	\$826.00
Service	10/25/2021	BHJ: Telephone call to chambers of Judge Manning regarding priority scheduling for pending Motion to Eliminate or Reduce Mechanic's Lien	0.10	\$295.00	\$29.50

Service	10/26/2021	ERL: Confer with Mr. Haslinger regarding project status, litigation status, next steps, lien bond, potential additional defendants, and strategy	0.50	\$375.00	\$187.50
Service	10/26/2021	BHJ: Correspond via email with counsel for ATC re status of ATC's discovery responses	0.10	\$295.00	\$29.50
Service	10/26/2021	NMT: Discuss matters to be resolved with team to move case forward; telephone call with Athena at Richland County Clerk of Court regarding pending motions	0.50	\$125.00	\$62.50
Service	10/27/2021	AGC: Telephone conversation with Susan Leitner at LG Utility Contractors regarding subpoena duces tecum	0.20	\$125.00	\$25.00
Service	10/27/2021	BHJ: Correspond via email with clients Karl Haslinger and Nick Leventis regarding deposition of Joe Smith of Geosystems; discovery update; status of Motion to Dissolve or Reduce Lien	0.20	\$295.00	\$59.00

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	10/13/2021	Mileage Expense: BHJ travel to/from Irmo, SC for site walkthrough with Susan Leitner and Mark Rhodes	1.00	\$141.12	\$141.12
Total					\$4,514.12
Payment (12/06/2021)					-\$4,514.12
Balance Owing					\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3789	11/23/2021	\$4,514.12	\$4,514.12	\$0.00

Account	Balance
Service□rst Trust IOLTA Balance	\$0.00

Total Account Balance	\$0.00
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Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3853
 Date: 12/22/2021
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	11/01/2021	BHJ: Correspond via email with Susan Leitner regarding subpoena response to counsel for ATC	0.10	\$295.00	\$29.50
Service	11/02/2021	AGC: Download additional photos from Susan Leitner and download deposition transcript of Joe Smith of Geo Systems	0.20	\$125.00	\$25.00
Service	11/03/2021	BHJ: Receipt and review of Errata Sheet to Deposition Transcript completed by Joe Smith of Geosystems	0.10	\$295.00	\$29.50
Service	11/08/2021	SA□: Upload materials from Susan Leitner received on 11-01-21 to our system and Nextpoint; code same for Defendant NKD's Third Supplemental production; draft Defendant NKD's Third Supplemental Responses to Plaintiff's □rst Requests for Production; upload documents to dropbox	3.00	\$125.00	\$375.00
Service	11/10/2021	BHJ: Correspond via email with opposing counsel regarding ATC discovery responses	0.20	\$295.00	\$59.00
Service	11/15/2021	BHJ: Correspond via email with clients Mr. Karl Haslinger and Mr. Nick Leventis regarding ATC's discovery responses and document production	0.20	\$295.00	\$59.00
Service	11/17/2021	NMT: Begin review of Plaintiff's document production and begin separating individual documents from the 2600 page single pdf Plaintiff produced	2.50	\$125.00	\$312.50
Service	11/18/2021	NMT: Continue review of Plaintiff's production and divide and label documents produced	1.50	\$125.00	\$187.50

Service	11/22/2021	BHJ: Correspond via email with Clerk of Court regarding status of scheduling Motion to Dissolve/Reduce Mechanic's Lien; correspond via email with Judge Manning and opposing counsel regarding same; telephone call with opposing counsel and Judge Manning regarding same	0.50	\$295.00	\$147.50
Service	11/23/2021	BHJ: Review/analyze filings regarding ongoing litigation involving ATC Site Construction in Aiken County	0.50	\$295.00	\$147.50
Service	11/23/2021	BHJ: Correspond via email with opposing counsel regarding NKD draft Amended Answer and Counterclaims; adding Geosystems as party	0.20	\$295.00	\$59.00
Service	11/23/2021	BHJ: Correspond via email with opposing counsel regarding NKD's Dissolution of Mechanic's Lien Motion	0.10	\$295.00	\$29.50
Service	11/24/2021	BHJ: □nalize □OIA Request to SC LLR regarding all materials related to ATC Site Construction, including license application, complaints, etc.	0.20	\$295.00	\$59.00
Service	11/24/2021	BHJ: □nalize subpoenas to ATC accountant (Oswald) and two (2) subcontractors (Precision Blasting and Gearig Brothers) and letters serving same	0.30	\$295.00	\$88.50
Service	11/24/2021	AGC: Draft subpoenas and cover letters to Robert Oswald, Gearig Brothers, and Precision Blasting; draft □OIA request form and letter requesting documents pertaining to John Henderson and ATC Construction and email same	1.00	\$125.00	\$125.00
Service	11/29/2021	BHJ: Correspond via email with Court and opposing counsel regarding upcoming motion rosters and NKD's Dissolution of Mechanic's Lien Motion	0.20	\$295.00	\$59.00
Service	11/30/2021	NMT: Continue to review and divide Plaintiff's production	2.00	\$125.00	\$250.00
Service	11/30/2021	BHJ: Correspond via email with opposing counsel for ATC regarding dissolution of mechanic's lien motion	0.30	\$295.00	\$88.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	11/02/2021	Every □ ord, Inc. Invoice No. 38989: 30(b)(6) deposition/transcript of Geo-System Design and Testing, Inc.	1.00	\$230.55	\$230.55
Expense	11/24/2021	Certified mail: Subpoenas sent by certified mail, return receipt requested	1.00	\$21.99	\$21.99

Total	\$2,383.04
Payment (12/22/2021)	-\$2,383.04
Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3853	12/22/2021	\$2,383.04	\$2,383.04	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3916
 Date: 01/25/2022
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	12/01/2021	BHJ: Tasks related to Motion to Reduce/Dissolve Mechanic's Lien including phone conversations and email correspondence with opposing counsel, review and analysis of ATC accounting for mechanic's lien, documents/timeline related to labor being performed in December 2019-February 2020	2.00	\$295.00	\$590.00
Service	12/02/2021	NMT: Continue to review and separate Plaintiff's Production	3.00	\$125.00	\$375.00
Service	12/02/2021	BHJ: Follow up correspondence via email with counsel for ATC regarding NKD's amended Answer and Counterclaims; addition of parties to case, including Geosystems	0.20	\$295.00	\$59.00
Service	12/02/2021	BHJ: Correspond via email with Court regarding scheduling and logistics for NKD's Motion to Dissolve or Reduce Mechanic's Lien	0.20	\$295.00	\$59.00
Service	12/03/2021	BHJ: Finalize Supplemental Responses to ATC's Requests for Production producing additional materials from LG Contractors / Susan Leitner and Letter serving same to counsel	0.20	\$295.00	\$59.00
Service	12/03/2021	AGC: Email to counsel attaching Supplemental Responses to ATC's Requests for Production producing additional materials from LG Contractors / Susan Leitner and letter to counsel serving same	0.20	\$125.00	\$25.00
Service	12/03/2021	SA: Review plaintiff's production documents and code same in Nextpoint	2.00	\$125.00	\$250.00

Service	12/03/2021	NMT: Finalize Review of Plaintiffs Production	1.50	\$125.00	\$187.50
Service	12/05/2021	BHJ: Prepare for upcoming meeting with clients Karl Haslinger and Nick Leventis to include review and assembly of pertinent documentation related to mechanic's lien motion and drafting of outline of topics to address during meeting	1.80	\$295.00	\$531.00
Service	12/06/2021	BHJ: Meeting with clients Karl Haslinger and Nick Leventis to discuss Mechanic's Lien filing and related case items and Site Visit following at River Shoals	3.00	\$295.00	\$885.00
Service	12/06/2021	BHJ: Telephone call to opposing counsel regarding status of ATC's consent to NKD's proposed Amended Answer and Counterclaims	0.10	\$295.00	\$29.50
Service	12/07/2021	NMT: Draft and serve subpoena to Geo Systems for Liability Insurance Policies	0.40	\$125.00	\$50.00
Service	12/07/2021	BHJ: Follow up email to Court checking on status and logistics of scheduling NKD's Motion to Dissolve or Reduce Mechanic's Lien	0.10	\$295.00	\$29.50
Service	12/07/2021	BHJ: Finalize subpoena to Geosystems for CGL policy information and Letter serving same to Joel Smith, President of Geosystems	0.20	\$295.00	\$59.00
Service	12/08/2021	NMT: Emails with Myra Rutland regarding subpoena responses	0.10	\$125.00	\$12.50
Service	12/08/2021	BHJ: Correspond via email with clients Karl Haslinger and Nick Leventis regarding hearing on Motion to Dissolve or Reduce Mechanic's Lien	0.20	\$295.00	\$59.00
Service	12/13/2021	AGC: Download Gearig Brothers Civilworks documents to Nextpoint to code and date; Bates label same; draft discovery response documents producing these documents; draft cover letter to opposing counsel serving supplemental discovery responses	0.60	\$125.00	\$75.00
Service	12/13/2021	BHJ: Receipt and review of subpoena response from Gearig Brothers Civil works as produced via email	0.20	\$295.00	\$59.00
Service	12/13/2021	BHJ: Telephone call with opposing counsel regarding NKD's subpoena to ATC accountant, Robert Oswald	0.20	\$295.00	\$59.00
Service	12/14/2021	BHJ: Finalize NKD's Fourth Supplement Responses to Requests for Production and Letter serving same to opposing counsel	0.20	\$295.00	\$59.00
Service	12/14/2021	BHJ: Telephone call with office of Judge Manning regarding scheduling logistics for NKD's Motion to Dissolve or Reduce Mechanic's Lien	0.20	\$295.00	\$59.00

Service	12/14/2021	BHJ: Correspond via email with opposing counsel regarding NKD's subpoena to ATC accountant, Robert Oswald	0.20	\$295.00	\$59.00
Service	12/14/2021	BHJ: Correspond via email with client Nick Leventis regarding hearing on NKD's Motion to Dissolve or Reduce Mechanic's Lien; unsuccessful attempts to schedule motion before Judge Manning	0.20	\$295.00	\$59.00
Service	12/15/2021	AGC: Upload Persimmon Hill documents to Nextpoint; code and bates label same for production; draft NKD's 5th Supplemental Response to ATC's Requests for Production producing Persimmon Hill documents; draft letter to opposing counsel regarding same	0.80	\$125.00	\$100.00
Service	12/15/2021	AGC: Draft Consent Order Allowing NKD's Amended Answer and Counterclaims; draft OIA request to SCDOT	0.50	\$125.00	\$62.50
Service	12/15/2021	BHJ: Revise draft of Amended Answer and Counterclaims to incorporate suggested edits from counsel for ATC in order to obtain consent for filing; correspond via email with counsel for ATC regarding same	0.30	\$295.00	\$88.50
Service	12/15/2021	BHJ: Compile documentation related to Persimmon Hill for production to ATC for further support of Unfair Trade Practices Claim ; finalize Supplemental Response to Request for Production on behalf of NKD and Letter to opposing counsel regarding same	0.50	\$295.00	\$147.50
Service	12/15/2021	BHJ: Draft/finalize OIA Request to SC DOT for information related to licensing and complaints regarding ATC	0.30	\$295.00	\$88.50
Service	12/22/2021	AGC: File proposed consent order allowing NKD to file Amended Answer and Counterclaims	0.30	\$125.00	\$37.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	12/22/2021	Filing of Order: Fee associated with filing proposed consent order allowing NKD to file Amended Answer and Counterclaims	1.00	\$31.74	\$31.74

Discount -\$0.24

Total \$4,245.00

Payment (03/22/2022) -\$4,245.00

Balance Owing **\$0.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3916	01/25/2022	\$4,245.00	\$4,245.00	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 3973
 Date: 03/01/2022
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	01/03/2022	NMT: Email to Karl Haslinger regarding hearing location	0.10	\$125.00	\$12.50
Service	01/04/2022	NMT: Revise letter to Geosystems regarding nonresponse to subpoena for service by Process Server Jay Philips; communications with Jay Phillips regarding the same	0.50	\$125.00	\$62.50
Service	01/04/2022	BHJ: Conference regarding subpoena to Geosystems / Joe Smith	0.20	\$295.00	\$59.00
Service	01/05/2022	NMT: Emails with Jay Phillips confirming service of subpoena on GeoSystems	0.10	\$125.00	\$12.50
Service	01/05/2022	AGC: Receipt of judge's order allowing NKD to file Amended Complaint and Counterclaims; file Amended Complaint and Counterclaims via SC Judicial Department online portal	0.20	\$125.00	\$25.00
Service	01/05/2022	BHJ: Receipt and review of Consent Order entered by Judge Manning allowing leave to NKD to file Amended Answer with Counterclaims	0.10	\$295.00	\$29.50
Service	01/05/2022	BHJ: Telephone call with client Mr. Karl Haslinger regarding upcoming hearing on Motion to Reduce ATC Mechanic's Lien	0.20	\$295.00	\$59.00
Service	01/05/2022	BHJ: Finalize draft of Amended Answer and Counterclaims for filing with Court on behalf of NKD	0.20	\$295.00	\$59.00
Service	01/06/2022	NMT: Review court filings and docket deadlines	0.10	\$125.00	\$12.50
Service	01/06/2022	BHJ: Receipt and review of email from counsel for	0.20	\$295.00	\$59.00

		ATC regarding NKD's Motion to Compel ATC's discovery responses; conference regarding same			
Service	01/07/2022	NMT: Draft notes related to discovery deficiencies	0.90	\$125.00	\$112.50
Service	01/07/2022	AGC: Draft follow up letter to Precision Blasting; search for date Precision Blasting accepted service; email follow up letter to owner of Precision Blasting and docket for deadline	0.40	\$125.00	\$50.00
Service	01/07/2022	BHJ: Letter to Precision Blasting regarding outstanding subpoena response	0.20	\$295.00	\$59.00
Service	01/11/2022	BHJ: Telephone call with counsel for ATC regarding NKD's Motion to Reduce Mechanic's Lien	0.20	\$295.00	\$59.00
Service	01/12/2022	BHJ: Tasks related to preparation for submission of memorandum in support of Motion to Reduce Mechanic's Lien to include review and analysis of pertinent case law regarding timing issues and disputes of fact, approval of change orders and disputes of fact, and review and compiling of exhibits to use in support of memorandum	5.00	\$295.00	\$1,475.00
Service	01/13/2022	AGC: Organize exhibits for memorandum; highlight provisions in exhibits; research timing of filings for mechanics liens; draft paragraphs regarding timing of filing and event that starts the period for filing; file memorandum and exhibits via SC Judicial Department online filing portal; email memorandum and exhibits to Judge Holt's law clerk and all counsel	1.90	\$125.00	\$237.50
Service	01/13/2022	BHJ: Drafting of detailed Memorandum in Support of Motion to Reduce / Dissolve Mechanic's Lien for submission to Judge Holt and finalize list of exhibits to use in support of same	5.50	\$295.00	\$1,622.50
Service	01/14/2022	AGC: Call SCDOT to pay for □OIA documents; receipt of □OIA response from SCDOT via email; download documents and save to shared drive	0.30	\$125.00	\$37.50
Service	01/14/2022	BHJ: Telephone call from client Nick Leventis regarding affidavit of John Henderson; review/ analyze Henderson affidavit and exhibits in support of same as filed by ATC	1.50	\$295.00	\$442.50
Service	01/17/2022	NMT: Identify materials and prepare notebook for motions hearing; email to court regarding Motion to Compel; receive and review Plaintiff's Motion in Opposition and revise notebook to reflect the same; telephone call to Geosystems regarding subpoena response	1.10	\$125.00	\$137.50
Service	01/17/2022	ERL: Conference call with Mr. Leventis and Mr. Haslinger regarding motions hearing and status	1.10	\$375.00	\$412.50

Service	01/17/2022	BHJ: Telephone call with clients Karl Haslinger and Nick Leventis regarding upcoming Motion to Dissolve/Reduce Mechanic's Lien	1.30	\$295.00	\$383.50
Service	01/17/2022	BHJ: Tasks related to preparation for upcoming hearing on NKD Motion to Reduce Mechanic's Lien to include review and analysis of both parties' memorandums and exhibits, drafting of argument outline	4.50	\$295.00	\$1,327.50
Service	01/17/2022	BHJ: Correspond via email with counsel for ATC regarding resolution of Motion to Compel discovery responses filed by NKD	0.20	\$295.00	\$59.00
Service	01/17/2022	BHJ: Conference regarding subpoena to Geosystems / Joe Smith for commercial general liability or errors and omission insurance information	0.20	\$295.00	\$59.00
Service	01/18/2022	BHJ: Attend court hearing in Columbia, SC with client Nick Leventis for NKD's Motion to Dissolve or Reduce ATC Mechanic's Lien	5.00	\$295.00	\$1,475.00
Service	01/18/2022	BHJ: Follow up email correspondence between opposing counsel for ATC and Judge Holt regarding clarification on forthcoming court ruling	0.30	\$295.00	\$88.50
Service	01/19/2022	BHJ: Correspond via email with clients Karl Haslinger and Nick Leventis regarding professional liability insurance coverage of GeoSystems; correspond via email with counsel for ATC regarding same	0.20	\$295.00	\$59.00
Service	01/20/2022	NMT: Receive Additional Certificate of Insurance from GeoSystems and compare to previously produced policy	0.20	\$125.00	\$25.00
Service	01/21/2022	BHJ: Review/analyze Answer to NKD's Amended Answer & Counterclaims and Third-Party Complaint against Geosystems filed by ATC; review affidavit of Mark Rhodes, P.E. filed on behalf of ATC in support of Third-Party Complaint against Geosystems; correspond via email with professional liability insurance adjuster for Geosystems regarding same	0.30	\$295.00	\$88.50
Service	01/21/2022	BHJ: Correspond via email with client Nick Leventis regarding status of Judge Holt's ruling on NKD's Motion to Reduce Mechanic's Lien	0.10	\$295.00	\$29.50
Service	01/24/2022	BHJ: Correspond via email with clients Karl Haslinger and Nick Leventis regarding Judge Holt's ruling on NKD's Motion to Reduce Mechanic's Lien	0.20	\$295.00	\$59.00
Service	01/26/2022	BHJ: Telephone call and email with opposing counsel for ATC regarding Consent Order	0.30	\$295.00	\$88.50

reducing Mechanic's Lien by \$30,000.00					
Service	01/27/2022	BHJ: Research potential engineering experts to retain to consult on case and assist with bringing claims against Geosystems	0.80	\$295.00	\$236.00
Service	01/28/2022	BHJ: Telephone call with opposing counsel for ATC regarding reduction of fees included within ATC's mechanic's lien filing and consent order regarding same	0.20	\$295.00	\$59.00
Service	01/28/2022	BHJ: Review and analysis of applicable procedure for reducing of mechanic's lien amount with ROD and Clerk's Office as discussed with counsel for ATC	0.50	\$295.00	\$147.50
Service	01/28/2022	BHJ: Receipt and review of C and Fee Schedule provided by potential expert Steve Moore, PE of ABS	0.20	\$295.00	\$59.00
Service	01/31/2022	NMT: Draft NKD's Second Supplemental Answers to Interrogatories; draft 6th Supplemental Production; draft correspondence to all counsel regarding the same and bates label supplemental production	1.50	\$125.00	\$187.50
Service	01/31/2022	ERL: Review of issues relating to expert witnesses; provide update to Mr. Haslinger	0.50	\$375.00	\$187.50
Service	01/31/2022	BHJ: Receipt and review of email from client Nick Leventis regarding claims against Geosystems and retention of expert witness for same	0.10	\$295.00	\$29.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	01/04/2022	J P Investigations, Inc. Invoice No. 22-0002: hand delivery of subpoena to Geo Systems	1.00	\$75.00	\$75.00
Expense	01/14/2022	SC Department of Transportation OIA response	1.00	\$40.00	\$40.00
Expense	01/18/2022	BHJ mileage reimbursement: travel to/from Richland County Courthouse for motion hearing (240 miles @ 58.5 cents/mile)	1.00	\$140.40	\$140.40

Total	\$,340
Payment (05/10/2022)	-\$,340
Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
3973	03/01/2022	\$9,939.40	\$9,939.40	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 4046
 Date: 03/30/2022
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	02/01/2022	ERL: Communications and updates with clients	0.30	\$375.00	\$112.50
Service	02/01/2022	BHJ: Correspond via email with counsel for ATC regarding filing of proposed Consent Order reducing amount of mechanic's lien; finalize same for filing with Court	0.20	\$295.00	\$59.00
Service	02/02/2022	BHJ: Prepare for upcoming phone call with clients Karl Haslinger and Nick Leventis to include drafting of memo regarding case status updates	0.50	\$295.00	\$147.50
Service	02/02/2022	BHJ: Conference call with clients Karl Haslinger and Nick Leventis regarding case status updates, retention of engineering experts for claims against Geosystems	1.10	\$295.00	\$324.50
Service	02/02/2022	BHJ: Review code section to confirm proper amount for bonding of off ATC lien; calculate same based on reduced mechanic's lien figure; correspond via email with client Nick Leventis regarding mechanic's lien bond amount and filing	0.40	\$295.00	\$118.00
Service	02/02/2022	ERL: Prepare for client call; conduct status call with client and confirm next steps	1.10	\$375.00	\$412.50
Service	02/02/2022	BHJ: Finalize draft of Consent Order reducing ATC's Mechanic's Lien for filing with Court	0.50	\$295.00	\$147.50
Service	02/03/2022	BHJ: Receipt and review of Consent Order entered by Court reducing ATC's Mechanic's Lien amount; correspond via email with clients Nick Leventis and Karl Haslinger regarding same	0.20	\$295.00	\$59.00
Service	02/15/2022	NMT: Draft Cash Bond to Release Mechanic's	1.80	\$125.00	\$225.00

Lien and prepare exhibits for the same					
Service	02/16/2022	NMT: Create Dropbox for expert Steve Smith's review	0.20	\$125.00	\$25.00
Service	02/16/2022	BHJ: Compile pertinent initial records for engineering expert, Steve Moore of ABS, to review; Correspond via email Mr. Moore regarding same	0.60	\$295.00	\$177.00
Service	02/16/2022	BHJ: Correspond via email with insurance broker / adjuster for Geosystems regarding amending pleading adding Geosystems to case and status of service of process and retention of counsel for Geosystems	0.20	\$295.00	\$59.00
Service	02/17/2022	NMT: Revise and finalize Release for Cash Bond; email the same to team.	0.80	\$125.00	\$100.00
Service	02/18/2022	BHJ: Correspond via email with counsel for ATC regarding status of service of process on Geosystems	0.20	\$295.00	\$59.00
Service	02/21/2022	BHJ: Receipt and review of letter from counsel for ATC to Joe Smith of Geosystems serving copy of Third-Party Complaint against Geosystems	0.20	\$295.00	\$59.00
Service	02/23/2022	NMT: Draft correspondence to alter Arnold regarding Bond to Release Mechanic's Lien; prepare FedEx of the same; email the same to alter Arnold; to and from FedEx	0.80	\$125.00	\$100.00
Service	02/23/2022	BHJ: Receipt and review of email from Joe Bucciarelli of Precision Blasting with subpoena response and documents related to River Shoals	0.40	\$295.00	\$118.00

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	02/17/2022	L&A CC Payment to Richland County Register of Deeds for monthly access to search and documents to retrieve plat needed for release of Mechanic's Lien and retrieve release once filed	1.00	\$29.57	\$29.57

Total	\$2,332.07
Payment (05/10/2022)	-\$2,332.07
Balance Owing	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4046	03/30/2022	\$2,332.07	\$2,332.07	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 4108
 Date: 04/21/2022
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	03/01/2022	BHJ: Correspond via email with potential engineering expert witness, Steve Moore, regarding status of initial file review and phone conference to discuss initial opinions	0.10	\$295.00	\$29.50
Service	03/04/2022	BHJ: Correspond via email with engineering expert, Steve Moore of ABS, regarding phone conference to discuss review and opinion of initial records	0.10	\$295.00	\$29.50
Service	03/07/2022	BHJ: Conference regarding upcoming phone call with expert Steve Moore to discuss claims to be filed against Geosystems and related claims against ATC	0.10	\$295.00	\$29.50
Service	03/07/2022	BHJ: Letter to counsel for ATC producing records received from Precision Blasting in response to subpoena issued for same	0.20	\$295.00	\$59.00
Service	03/07/2022	SA□: Upload Precision Blasting documents into Nextpoint to code; Bates label same; download to file; draft Seventh Supplemental Responses to discovery	0.70	\$125.00	\$87.50
Service	03/07/2022	AGC: Draft cover letter to opposing counsel attaching Seventh Discovery Responses; draft letter attaching same along with documents	0.20	\$125.00	\$25.00
Service	03/09/2022	BHJ: Tasks related to preparation for upcoming phone call with engineer expert, Steve Moore of ABS, to discuss opinions based on initial review of documents	0.50	\$295.00	\$147.50
Service	03/09/2022	BHJ: Phone conference with engineering expert,	0.60	\$295.00	\$177.00

		Steve Moore of ABS, to discuss his opinions regarding breaches of standard of care of ATC and Geosystems based on initial review of case			
Service	03/09/2022	BHJ: Correspond via email with clients Karl Haslinger and Nick Leventis regarding phone conference conducted with engineering expert Steve Moore regarding his initial opinions supporting claims against ATC and Geosystems	0.20	\$295.00	\$59.00
Service	03/10/2022	BHJ: Conference regarding developing NKD witnesses, including Steve Staley of Richland County and Replacement Road Contractor	0.20	\$295.00	\$59.00
Service	03/23/2022	BHJ: Review and compile additional materials for review/analysis by engineering expert Steve Moore of ABS; correspond via email with Steve Moore regarding same	0.60	\$295.00	\$177.00
Service	03/23/2022	AGC: Upload additional materials to Dropbox file for expert Steve Moore	0.30	\$125.00	\$37.50

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	03/11/2022	Applied Building Sciences Invoice No. 900.22004-01: expert engineer consulting fee	1.00	\$2,212.50	\$2,212.50
Total					\$3,121.50
Payment (05/10/2022)					-\$3,121.50
Balance Owing					\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4108	04/21/2022	\$3,129.50	\$3,129.50	\$0.00

Account	Balance
Service First Trust IOLTA Balance	\$0.00

Total Account Balance	\$0.00
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Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 4158
 Date: 05/16/2022
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC**

Type	Date	Description	Quantity	Rate	Total
Service	04/06/2022	BHJ: Telephone call with expert Steve Moore of ABS regarding additional opinions as to Geosystems and timetable for completion of his affidavit to be filed in support of claims to be initiated against Geosystems	0.20	\$295.00	\$59.00
Service	04/11/2022	NMT: Review of file regarding contracts and road plans for expert; email to CEC attorney for contract; email to expert regarding road plans	1.20	\$125.00	\$150.00
Service	04/11/2022	BHJ: Review file for additional pertinent materials to send to expert witness Steve Moore, including contract and materials from Civil Engineering of Columbia; correspond via email with Mr. Moore regarding same	0.50	\$295.00	\$147.50
Service	04/12/2022	BHJ: Review/analyze draft affidavit provided by expert witness, Steve Moore, P.E. regarding breaches of standard of care by ATC and Geosystems; correspond via email with Mr. Moore and clients Karl Haslinger and Nick Leventis regarding same	0.80	\$295.00	\$236.00
Service	04/12/2022	BHJ: Review/locate road/pavement design plans, contract(s) per request of engineer expert witness, Steve Moore for his utilization of same for finalizing his affidavit	0.40	\$295.00	\$118.00
Service	04/12/2022	ERL: Review of work product from expert witness; confer with Mr. Joyce and clients regarding next steps	0.40	\$375.00	\$150.00
Service	04/13/2022	NMT: Review file for contracts to provide to expert; telephone call to Amanda Cristaldi to request contract	0.30	\$125.00	\$37.50
Service	04/13/2022	BHJ: Correspond via email with counsel for ATC	0.20	\$295.00	\$59.00

Site Construction regarding service of process on Geo-Systems of ATC's Third Party Complaint					
Service	04/18/2022	BHJ: Receipt and review of finalized affidavit from expert witness Steve Moore PE	0.30	\$295.00	\$88.50
Service	04/18/2022	BHJ: Correspond via email with insurance adjuster for Geo-Systems regarding status of retention of counsel for represent Geo-Systems in lawsuit	0.20	\$295.00	\$59.00
Service	04/19/2022	NMT: Draft Notice of Filing Mechanic's Lien Release	0.30	\$125.00	\$37.50
Service	04/20/2022	BHJ: Tasks related to preparation of Cross Claim to be filed against Geo-System, including review and analysis of Affidavit of Steve Moore, Richland County Road Standards, Geo-System Document Production, and Geo-System Letter to Insurance Carrier	4.50	\$295.00	\$1,327.50
Service	04/21/2022	BHJ: Begin drafting of Cross Claims to be filed against Geo-System	0.80	\$295.00	\$236.00
Service	04/22/2022	BHJ: Finalize draft of Cross Claim to be filed against Geo-System and Consent Order to be circulated amongst parties allowing same	3.00	\$295.00	\$885.00
Service	04/28/2022	NMT: Review of file materials and create a flash drive for Mr. Leventis	1.50	\$125.00	\$187.50
Service	04/28/2022	BHJ: Correspond via email with counsel for ATC Site Construction regarding final repair cost numbers for NKD	0.10	\$295.00	\$29.50
Service	04/29/2022	NMT: Review of all file materials and ensure all items were scanned into system and review for previous productions	1.10	\$125.00	\$137.50
Service	04/30/2022	NMT: Drop off file materials to Nick Leventis Condo	0.30	\$125.00	\$37.50

Total	\$3,112.50
Payment (07/21/2022)	-\$3,112.50
Balance Owning	\$0.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4158	05/16/2022	\$3,982.50	\$3,982.50	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403

Lesemann & Associates LLC

418 King Street, Suite 301
 Charleston, South Carolina (SC) 29403
 (843) 724-5155

INVOICE

Invoice # 4222
 Date: 06/16/2022
 Due Upon Receipt

NKD, Inc.
 100 Hagen Court
 Lexington, SC 29072

2204.001**NKD, Inc. - Contract Dispute with ATC Site Construction, LLC****Services**

Type	Date	Description	Quantity	Rate	Total
Service	05/02/2022	NMT: Text to Nick Leventis regarding CPA information	0.10	\$125.00	\$12.50
Service	05/06/2022	BHJ: Review Answer filed by Geo-Systems to ATC Site Construction's Third-Party Complaint	0.10	\$295.00	\$29.50
Service	05/09/2022	BHJ: Receipt and review of subpoenas served by counsel for ATC Site Construction to Carolina Tap & Bore, CEC, Gearing Civil works, S&ME, Back Forty Aerial Solutions, Belter and Associates Inc, Precision Blasting, and Ameris Bank	0.20	\$295.00	\$59.00

Expenses

Type	Date	Description	Quantity	Rate	Total
Expense	05/06/2022	Applied Building Sciences Invoice No. 900.22004-02: expert consulting, including review of file materials and preparation of Affidavit	1.00	\$4,409.95	\$4,409.95

Total **\$4,510.15**

Payment (07/21/2022) **-\$4,510.15**

Balance Owing **\$0.00**

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
4222	06/16/2022	\$4,510.95	\$4,510.95	\$0.00

Account	Balance
ServiceFirst Trust IOLTA Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to:

Lesemann & Associates LLC, 418 King Street, Suite 301, Charleston, SC, 29403