



P.O. Box 1389  
Fargo, ND 58107-1389  
Phone: 701-237-6983 Fax: 701-356-6395

Tax ID #45-0348495

**Fargo, Bismarck & Grand Forks ND; Moorhead & Minneapolis MN**

Statement Date: December 14, 2020  
Statement No: 265866  
Account No: 056050.20000

Office of the Governor

Re: Office of the Governor - Research

			HOURS
11/12/20	MJG	Email correspondence with RJP, NMS, and SAT regarding filing petition; conference with AAR regarding finalizing petition and appendix in preparation for filing; conference with RJP regarding finalizing petition and appendix in preparation for filing.	0.60
11/12/20	NMS	Call with Governor's office to discuss Petition	0.50
11/12/20	RJP	Revise Petition; conference with Governor's counsel regarding filing of and content of petition.	2.50
11/13/20	MJG	Receipt of email correspondence from Tyler Yeargain regarding scholarship and research related to legislative vacancies and appointments; conference with RJP regarding the same	0.40
11/13/20	RJP	Analyze order from ND Supreme Court; analyze email with zoom instructions; draft response to ND Supreme Court clerk regarding appearance/argument; telephone conference with Governor's counsel; exchange emails with Yale lawyer regarding additional information on legislative vacancies; telephone conference with Yale counsel; review Yale lawyer articles; exchange emails with Yale attorney.	2.00
11/16/20	NMS	Begin drafting case summaries for oral argument	1.30
11/17/20	MJG	Email correspondence with NMS regarding legislative history.	0.30
11/17/20	MJG	Receipt and analysis of email notification of filing and motion filed by Kathrin Volochenko to join the action.	0.40
11/17/20	MJG	Receipt and analysis of email correspondence from Tyler Yeargain to NDSC with attached leave for file amicus brief and amicus brief.	0.80
11/18/20	MJG	Preparation for oral argument.	0.50
11/18/20	NMS	Reviewed amicus brief filed by attorney Garaas and applicable case law on ripeness in declaratory judgment actions	2.30
11/18/20	NMS	Reviewed election contest case law and application of N.D. Const. art. IV s. 12 to election contests	0.50

Re: Office of the Governor - Research

11/18/20	RJP	Research for/prepare for oral argument.	7.10	
11/19/20	MJG	Preparation for oral argument; review of case law and statutory and constitutional provisions cited in brief; drafted sub-outlines of responses to anticipated counter-arguments from respondents.	2.10	
11/19/20	MJG	Review and analysis of Dem-NPL response to petition for declaratory relief, writ of mandamus, and writ of injunction	0.90	
11/19/20	MJG	Review and analysis of District 8 response to petition for declaratory relief, writ of mandamus, and writ of injunction.	0.50	
11/19/20	MJG	Review and analysis of Attorney General response to petition for declaratory relief, writ of mandamus, and writ of injunction	2.30	
11/19/20	MJG	Attended meeting with client in preparation for oral argument	2.00	
11/19/20	MJG	Continued preparing for oral argument; drafted outlines responding to arguments interposed by respondents; drafted outline of argument, opening, and closing; conferences with RJP and NMS regarding upcoming oral argument.	6.10	
11/20/20	MJG	Prep for oral argument; attended oral argument; conference with client following oral argument.	3.00	
11/20/20	NMS	Reviewed cases on laches in election contests cited in AG's response	1.30	
11/20/20	NMS	Oral argument and oral argument debrief	1.80	
11/20/20	RJP	Prepare for oral argument.	1.50	
11/20/20	RJP	Participate in argument and debrief.	1.50	
11/20/20	RJP	Review case law regarding election contests.	0.90	
11/23/20	MJG	Conference with RJP regarding additional research questions posed by client related to District 8 vacancy.	0.20	
11/23/20	MJG	Receipt and analysis of Dem-NPL letter to Court regarding recently filed election contest matter requesting postponement of decision on the Governor's petition for declaratory relief, writ of mandamus, and writ of injunction until after resolution of the election contest; conferences with RJP and NMS regarding the same.	0.40	
TOTAL FEES (NOT INCLUDING COSTS, IF ANY, SHOWN BELOW)			43.70	\$12,321.00

## SUMMARY: TIMEKEEPER RECAP

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
R.J. Pathroff	15.50	350.00	5,425.00
Megan J. Gordon	20.50	250.00	5,125.00
Nicholas M. Surma	7.70	230.00	1,771.00

11/12/2020	North Dakota Supreme Court: North Dakota Supreme Court - Filing Fee for Petition	125.00
	TOTAL ADVANCES	\$125.00

TOTAL NEW CHARGES

\$12,446.00