

December 23, 2015

Kathleen Markham
Deputy County Counsel
Office of the County Counsel
County of El Dorado
330 Fair Lane
Placerville, CA 95667

Re: *Austin v. County of El Dorado*

Dear Kay Ann:

Thank you for the opportunity to provide a proposal to represent the County (and Districts if approved by the County and Districts) in the Austin matter. I have had the opportunity to review the pleadings and I am familiar with the legal claims. I have represented local governments in writ litigation for nearly 30 years, so this proceeding is not unusual in my experience. With respect to the Austin claims, we are currently defending another local agency in a Mitigation Fee Act case (although involving different statutory provisions.) In addition, I am the editor and co-author of Exactions and Impact Fees in California published by Solano Press, currently in its Third Edition (2012) and updated in 2014.

My billing rate for litigation services is the same as for my existing agreement with the County, set at \$375 per hour. The applicable rate schedule and practices is attached.

Should you have any questions, please do not hesitate in calling.

Sincerely,



William W. Abbott

WWA/sb

ABBOTT & KINDERMANN, LLP

RATE SCHEDULE

PARTNERS	\$ 375.00 per hour
SENIOR COUNSEL	\$ 340.00 per hour
ASSOCIATE IV	\$ 285.00 per hour
ASSOCIATE III	\$ 225.00 per hour
ASSOCIATE II	\$ 200.00 per hour
ASSOCIATE I	\$ 160.00 per hour
PLANNER II	\$ 150.00 per hour
PLANNER I	\$ 110.00 per hour
PARALEGAL II	\$ 150.00 per hour
PARALEGAL I	\$ 100.00 per hour
LAW CLERK II	\$ 110.00 per hour
LAW CLERK I	\$ 60.00 per hour
STAFF RESEARCHER	\$ 65.00 per hour

INDIRECT EXPENSES:

A charge of 4.25% of monthly fees is added to offset ordinary copying, secretarial, postage, including overnight deliveries, faxing, local and long distance telephone charges.

Court Calls and fax filing for court documents are not included.

COSTS:

Costs (including filing fees, court reporter fees, special deliveries, on-line computer research, etc.) will be billed as incurred.

SERVICES:

The following services will be billed as incurred at the following rates:

ACCOUNTING - \$50.00 per hour
OFFICE CLERK - \$15.00 per hour
MILEAGE - Current IRS rate

- * Distribution from a client trust account for payment of a bill and all other payments received shall be allocated to amounts owing in the following order: (1) accrued interest; (2) costs advanced; and (3) attorney's fees.
- ** This Rate Schedule is adjusted December 21st of each year. This schedule may also be adjusted at any time upon thirty (30) days prior notice to client.
- *** Telephone calls to or from a client, or other parties involved in matters pertaining to the client's legal affairs, are subject to a minimum charge of 0.2 hour times the applicable billing rate.