

Exhibit A

Exhibit A

1 Keith Beauchamp (012434)
2 Roopali H. Desai (024295)
3 **COPPERSMITH BROCKELMAN PLC**
4 2800 North Central Avenue, Suite 1900
5 Phoenix, Arizona 85004
6 T: (602) 381-5490
7 F: (602) 224-6020
8 kbeauchamp@cblawyers.com
9 rdesai@cblawyers.com
10 *Attorneys for Plaintiff*

8 **ARIZONA SUPERIOR COURT**
9 **MARICOPA COUNTY**

10 FIERCE INVESTMENTS LTD.,)	No. CV2018-006866
11 Plaintiff,)	
12 v.)	DECLARATION OF ROOPALI H.
13)	DESAI IN SUPPORT OF
14 AZTEC COPPER INC., an Arizona)	APPLICATION FOR ATTORNEYS'
15 corporation,)	FEES AND COSTS
16 Defendant.)	(Assigned to the Hon. Christopher Whitten)

17
18 I, Roopali H. Desai, hereby state that:

19 1. I am a partner in the law firm of Coppersmith Brockelman PLC (“CB”), and have
20 been admitted to the practice of law in the State of Arizona since 2006. I am one of the lawyers
21 representing Plaintiff Fierce Investments Ltd. (“Fierce”) in the above-captioned matter and have
22 personal knowledge of the matters described herein.

23 2. This Declaration is submitted in support of Plaintiff’s Application for Attorneys’
24 Fees and Costs incurred in connection with the granting of a default judgment against Defendant
25 Aztec Copper Inc.

1 3. Pursuant to the fee agreement between CB and Fierce, Fierce is billed on a monthly
2 basis for the attorneys' fees incurred by me and other lawyers and paralegals. Our monthly
3 invoices also include costs that have been paid by CB on behalf of Fierce.

4 4. I am aware of the fees charged by attorneys and paralegals with similar experience
5 and training in this community, and the billing rates on this matter are at or below the rates
6 charged by other lawyers and paralegals in this community with similar training and experience.

7 5. My billing rate for this matter was \$400 per hour. I have been practicing at CB
8 since October 2007 and have been a partner since 2013. Prior to joining CB, I was an attorney
9 with the law firm formerly known as Lewis and Roca. In addition to being admitted to practice
10 in this Court, I am admitted to practice in the U.S. Court of Appeals for the Ninth Circuit.

11 6. I graduated from the University of Arizona College of Law in 2005. After law
12 school, I completed a judicial clerkship for then-Chief Judge Mary M. Schroeder of the U.S.
13 Court of Appeals for the Ninth Circuit. Prior to law school, I obtained a Bachelor's degree from
14 the University of Arizona and a Master's degree in public health from the University of Arizona
15 College of Public Health.

16 7. I have been recognized by Best Lawyers in America® for Commercial Litigation,
17 among other recognitions. I have substantial experience representing non-profit entities, social
18 welfare organizations, associations, and other organizations plaintiffs in public law matters,
19 including bringing mandamus actions, special actions, actions for injunctive relief, and other
20 special proceedings.

21 8. Keith Beauchamp's billing rate for this matter was \$500 per hour. He graduated
22 from George Washington University in 1988 and has been practicing commercial litigation in
23 Arizona since 1989. He was a partner at the law firm formerly known as Lewis and Roca from
24 1994 to 2009 and has been a partner at CB since 2009.

25 9. Linda Dominguez-Hasseler, a paralegal formerly with CB, assisted in managing
26 and reviewing documents. Ms. Dominguez-Hasseler has over 20 years of paralegal experience

1 in commercial litigation. Her hourly rate was \$170, which is at or below the hourly rates of
2 paralegals in the community with similar qualifications and experience.

3 10. Sheri McAlister, a paralegal and legal assistant at CB, assisted in managing
4 documents and drafting basic filings. Ms. McAlister has over 25 years of legal experience in
5 commercial litigation. Her hourly rate was \$120, which is below the hourly rates of paralegals
6 in the community with similar qualifications and experience.

7 11. Attached as Exhibit 1 to this Declaration is an itemized statement containing a
8 description of the attorney fees' already billed in this matter by CB. That description, taken from
9 the invoices sent to Fierce, includes the identity of the professional providing the services, the
10 amount of time incurred, and a description of the legal work performed. All of the information
11 contained in Exhibit 1 was taken from the contemporaneous invoices and records maintained by
12 CB in connection with its representation of Fierce.

13 12. The amount of attorneys' fees actually billed to Fierce (or which are in the process
14 of being billed) exceeds the amount of fees sought here due to amount written off by counsel as
15 we prepared this fee application.

16 13. In addition to making reductions to the as-invoiced fees for purposes of preparing
17 this fee application, as a matter of business judgment I elected not to invoice our clients for some
18 of the time spent on this matter. As a consequence of my exercise of billing judgment, I reduced
19 the amounts billed to Fierce during the course of the representation.

20 14. In addition to the attorneys' fees identified in Exhibit 1, which total **\$6,950.00**,
21 Fierce seek fees totaling **\$1,200.00** for time spent preparing this Application, reviewing the
22 response expected to be filed by Defendant, and preparing Plaintiff's Reply.

23 15. The total attorneys' fees award sought by Fierce is **\$8,150.00**.

24 16. A statement of taxable costs will be filed separately and concurrently with this
25 Application.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of December, 2018.

s/ Roopali H. Desai
Roopali H. Desai

Exhibit 1

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Date	Timekeeper	Time	Amount	Description
04/09/18	KLH	4	1100.00	Draft complaint for shareholder meeting
04/13/18	LKB	0.5	250.00	Work on draft complaint regarding shareholders' meeting
04/17/18	LKB	0.9	450.00	Revise the annual meeting complaint and send to David Rose
05/03/18	SM	0.8	100.00	Format and proofread complaint; review rules and draft certificate of compulsory arbitration, summons and civil cover sheet
05/03/18	RD	0.2	80.00	Review second complaint
05/04/18	RD	0.6	240.00	Review emails with client; finalize filings
05/04/18	RD	0.5	200.00	Review emails from client and attached statement of claim documents
05/04/18	LKB	1.8	900.00	Revise and file complaint after integrating client comments; send update to David Rose
06/06/18	SM	0.4	50.00	Draft default judgment papers for second lawsuit
06/24/18	RD	0.4	160.00	Review draft application for default and declaration and email to client regarding same
06/29/18	RD	2.2	880.00	Review documents and emails; work on application for default and declaration; draft and send email to client regarding same; email with client regarding edits
07/01/18	LKB	0.2	100.00	Review and comment on draft default papers, as edited by David Rose and Roopali Desai
07/02/18	RD	0.2	80.00	Review final documents for filing
07/11/18	RD	0.1	40.00	Review minute entry regarding default proceedings

Date	Timekeeper	Time	Amount	Description
07/27/18	RD	0.3	120.00	Work on default issues
07/30/18	RD	0.5	200.00	Work on default packet for filing to request hearing; review rules regarding same
08/02/18	RD	0.4	160.00	Continue working on default packet; research requirement to submit fee application with default packet
09/09/18	RD	1.9	760.00	Research additional cases regarding burden of proof; review edits to motion; revise same; draft response to motion to set aside in second case
10/11/18	RD	0.5	200.00	Review docket and recently posted ruling; analyze same; draft and send email to client attaching ruling; direct S. McAlister regarding further contact with Court to obtain final judgment
10/19/18	RD	0.7	280.00	Review and respond to email from D. Rose; begin drafting request for ruling
10/24/18	RD	1.1	440.00	Continue drafting motions to file with court; finalize and file; draft and send email response to D. Rose with copies of filings
11/07/18	RD	0.4	160.00	Review docket; review order denying Aztec's motion to set aside; draft and send email to D. Rose regarding same and outlining next steps
TOTAL			\$6,950.00	