

DISTRICT COURT, OTERO COUNTY, COLORADO Otero County Courthouse 13 W. 3rd Street, Room 207 La Junta, CO 81050-1536	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Plaintiffs: WESLEY COLVIN v. Defendant: QWEST COMMUNICATIONS INTERNATIONAL, INC.	
<u>Attorney for Plaintiff:</u> Curtis L. Kennedy, #12351 8405 E. Princeton Ave. Denver, CO 80237-1741 Phone: 303-770-0440 Fax: 303-843-0360 Email: CurtisLKennedy@aol.com	Case Number: 04CV39 Div./Ctrm.: B
AFFIDAVIT OF CURTIS L. KENNEDY (with request for payment of Attorney's Fees and Costs)	

Curtis L. Kennedy, being duly sworn, as counsel for Plaintiff, states as follows:

1. I am the attorney responsible for the legal work performed for Plaintiff Wesley Colvin and the class of QWEST retiree participants in the class action *Colvin v. QWEST Communications International, Inc.*, Civil Action No. 04CV39, Otero County District Court. The civil action was class certified on behalf of approximately 3-4,000 persons and I was designated sole counsel for the class. I am submitting this declaration and application for an

award of attorneys' fees in connection with services rendered in the *Colvin* case and the reimbursement of expenses incurred by me in the course of this litigation.

2. I received my law degree in May, 1982 from the University of Colorado School of Law at Boulder. I have successfully taken Bar exams to be admitted to practice in the State of Arizona, State of Colorado, State of Oklahoma, State of Texas and District of Columbia. Also, I have been admitted to practice in the following federal courts: United States Supreme Court, United States Tax Court, 10th Circuit Court of Appeals, 9th Circuit Court of Appeals, 6th Circuit Court of Appeals, 5th Circuit Court of Appeals, 2nd Circuit Court of Appeals, District of Columbia Court of Appeals, District of Arizona, Northern District of California, District of Colorado, Northern District of Oklahoma, Western District of Oklahoma, Northern District of Texas and Southern District of Texas. In addition, I have been admitted *pro hac vice* to practice before other federal and state courts. I incorporate herein my curriculum vitae submitted December 16, 2004 to the Court and QWEST counsel in connection with a hearing in this case.

3. My solo law practice is almost entirely devoted to retiree employment related matters. Over the years, I have been designated class counsel and co-class counsel in several ERISA civil actions. During the past 20 years, I have litigated over 60 cases on behalf of workers and retirees against QWEST, its predecessor, U S WEST, Inc., and various subsidiary companies. I regularly lecture on developments in ERISA law and participate in seminars relating to ERISA law.

4. During the past twenty years, a significant part of my law practice has concentrated on assisting, either on a paid basis or pro bono basis, thousands of employees and

retirees of the former Bell System, particularly the former U S WEST companies and the current companies within Qwest Communications International, Inc.

5. I have a long standing working relationship with retiree members of the Association of U S WEST Retirees (AUSWR). In the instant matter, AUSWR requested me to perform legal services on behalf of Mr. Wesley Colvin, of LaJunta, Colorado, and the class of QWEST retirees. Because neither AUSWR nor Mr. Colvin are financially able to pay me on an hourly basis, I agreed to perform legal services on a contingent fee basis.

6. During the course of the *Colvin* case litigation, I provided *pro bono* legal assistance to numerous QWEST retirees in connection with their retiree benefit rights, pension issues and other medical benefits plan issues.

7. I remain committed to pursuing the legal rights and interests of the class of QWEST retirees and plan participants in the Qwest Pension Plan, and presently I have sole responsibility for additional ERISA litigation pending in the District of Colorado, e.g., *Phelps v. QWEST*, Civil Action No. 04-B-2042 (OES) and *Kerber v. QWEST*, Civil Action No. 05-MK-478 (PAC).

8. The hourly rate I charge for legal services is either comparable or less than the customary rates in the Denver metropolitan area for attorneys with comparable background, experience, and skills. I have worked extensively in other federal and state judicial forums, particularly in Arizona, California, Oklahoma and Texas. My present hourly rate for individual representation is \$275.00. It is customary to receive an enhanced multiplier hourly rate for class action representation.

9. My demand for payment is very reasonable given a whole variety of factors, which include the difficulty and novelty of the issues presented and the settlement benefit bestowed upon thousands of retirees.

10. Throughout the *Colvin* litigation, I maintained contemporaneous records of attorney time spent and description of services rendered. I exercised billing judgment and winnowed hours expended down to the hours reasonably expended. For example, during the course of the *Colvin* case, I have engaged in countless telephone, face to face and email communications with scores of QWEST retirees who have addressed me to discuss concerns about retiree benefits, but having nothing to do with the *Colvin* case claims of wrongful termination of the Retiree Telephone Concession benefit. None of that time is included in my time records. Likewise, I have responded to dozens of letters and faxes from class members, although they raised concerns having nothing to do with the claims in the *Colvin* case. All such time is excluded from my time records. My time records do not reflect any time spent which did not directly promote the *Colvin* case litigation.

11. Herein below is a true copy of my time records reflecting, as of June 10, 2005, a total of **196** hours of attorney time expended in the *Colvin* litigation during the period December 4, 2003 through June 10, 2005. In my opinion the amount of time I expended to date on this case, 195 hours, was necessary to achieve the results obtained. I estimate I will expend an additional 20 to 40 hours to complete work on the litigation, including the fairness hearing and claims process. I believe I handled this case efficiently and effectively.

12. Contemporaneously herewith I have itemized the reasonable expenses and costs incurred in this action for which an award of reimbursement is sought totaling **\$1,042.09**:

Filing Fee:	\$ 136.00
Jury Fee:	\$ 150.00
Postage and long distance (estimated):	\$ 100.00
Photocopying in office (estimated 2,000 @ .10):	\$ 200.00
Photocopying at Anaconda Printing (Qwest documents):	\$ 28.77
Creation of PDF searchable CD-Rom of Documents:	\$ 392.32
Huff Transcription (December 14 motions hearing):	\$ 35.00

13. Pursuant to Article 4.2.3 of the approved "Settlement of Class Action," I hereby seek a total award of fees and costs to be paid by QWEST from its operating revenues in the amount of **\$75,000.00** to cover all attorney's fees, expenses, and taxable costs incurred in the *Colvin* case litigation. This sum represents a **lodestar enhancement multiplier ratio of less than 1.4**. The enhancement (1.4) is well within the enhancement range typically granted by courts for class action representation (1.25-2.00). Furthermore, this is not a class action with a worthless 'coupon' result. It is a class action resulting in real money and benefits being provided to over 3,000 Qwest Retirees.

14. I performed professional services in connection with the following tasks and projects during this litigation as described in the table below which services would be billed for individual representation at my current customary hourly rate of **\$275.00**:

STATEMENT OF LEGAL SERVICES RENDERED

Attorney's time record for period December 2003, through June 10, 2005, for legal services rendered in connection with *Colvin v. Qwest Communications, International, Inc.*, Case No. 04CV39, Otero County District Court, State of Colorado (Retiree Telephone Concession):

<u>Date:</u>	<u>Description of Task Performed:</u>	<u>Hours:</u>
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12.04.03	Review December 3 and December 4 email from Qwest Retiree leader Nelson Phelps attaching email from Qwest VP Jill Sanford (copied to Qwest EVP Barry Allen) with two drafts of proposed communications (once concerning telephone concession); re-review of November 28 email note from Qwest Retiree Bob Orton forwarding message he received from Ms. Sanford stating “ <i>we don’t have present plans to discontinue concession. We are, however, going to stop reimbursing retirees for services provided by our competitors;</i> ” tc (lengthy) with Mr. Phelps about what is going on, requesting legal action at the expense of the Association of U S WEST Retirees (AUSWR) and need to encourage retiree group members to begin gathering all available information on retiree concession.	0.9
01.05.04	Review email chain (numerous during December 2004) from Qwest Retiree leader Phyliss Kielblock on complaints from NWB based Qwest Retirees about Qwest plans to discontinue Retiree Telephone Concession; review December 16 letter from Qwest Retiree Ed Marsom to Qwest CEO Dick Notebaert (copied to Qwest EVP Barry Allen) protesting Qwest’s actions; review December 15 letter from Qwest Retiree Sharon Richards to Qwest EVP Barry Allen (copied to Qwest Felicity O’Herron) protesting Qwest’s actions.	0.4
01.06.04	Review extensive email note from Qwest Retiree leader Howard Rickman to Qwest EVP Barry Allen and Sr. VP Jill Sanford re: Qwest cutting off retiree telephone concession; tc with Qwest Retiree leader Nelson Phelps re: current situation and impact on Qwest retirees.	0.5
01.07.04	Review copy of Qwest EVP Barry Allen’s December 9, 2003 letter sent to Qwest Retirees; tc with Qwest Retiree leader Hazel Floyd re: numerous complaints from Qwest retirees.	0.2
01.08.04	Review emails being forwarded to me from Qwest Retiree leaders Howard Rickman and Nelson Phelps from impacted retirees complaining about Qwest terminating retiree telephone concession; draft email note re: same to Mr. Phelps.	0.3
	Review January 7 email response from Qwest Barry Allen to Mr. Rickman and Mr. Rickman’s email reply to Mr. Allen; tc with Mr. Nelson about the growing problem for Qwest retirees and request for my help.	0.5

01.10.04	Review January 10 email note from Qwest Retiree leader Howard Rickman to Qwest EVP Barry Allen copied to Qwest CEO Dick Notebaert protesting Qwest cutting off retiree telephone concession; additional tc with Qwest Retiree leader Nelson Phelps re: current situation and estimate of those affected and locations; research Internet particularly State PUC websites for information on boundaries of "Independent Telephone Companies"; review old U S WEST "Your Benefits" booklets for information on retiree telephone concession. (6:20 p.m. - 8:05 p.m.)	1.5
01.12.04	Review January 12 email notes exchanged between Qwest Retiree leader Howard Rickman and Qwest Sr. VP Jill Sanford re: Qwest retiree telephone concession; tc from Qwest Retiree leader Mimi Hull requesting my pursuit of legal options.	0.4
01.14.04	Review January 14 email note (with attachments) from Qwest Retiree Joan Catlett requesting my involvement to challenge Qwest on termination of retiree concession; tc (voice message) to Qwest Retiree leaders Nelson Phelps and Mimi Hull; draft email note to Mr. Rickman requesting listing of Independent Companies and known list of impacted Qwest Retirees with explanation for various information.	0.4
	Begin consideration of impact of another Qwest legal action on my workload; draft letter to Mr. Phelps, Mr. Rickman of AUSWR Board members re: meeting to discuss the situation and decide on action to take.	0.3
01.15.04	Review January 14 email note from Qwest Retiree leader Howard Rickman to Qwest EVP Barry Allen and Sr. VP Jill Sanford re: Qwest cutting off retiree telephone concession; tc with Qwest Retiree leaders Mimi Hull and Hazel Floyd re: current situation and impact on Colorado based Qwest retirees.	0.3
01.21.04	Meeting in Phoenix with AUSWR Board members to make presentation about legal action (ERISA vs. state law claims) and choice of forums likely to promote fastest resolution and decision made by retiree organization to have me go forward. (10:00-12:45).	0.8
01.24.04	Review compilation of materials AUSWR Board member Don Archibald received from Montana Public Service Commission re: telephone concession for employees and retirees; draft email note re: same to Mr. Archibald.	0.4

02.02.04	Review series of email chains from Qwest retirees (numerous and convoluted) with numerous attachments and sort for useful information to support legal claims; draft update report (extensive) to AUSWR retiree leaders re: my fact research conducted thus far about retiree telephone concession, chosen location for filing of state law suit. (2:10-4:30).	2.0
	Review evening sent multiple email feed back from Qwest retirees responding to my email report to AUSWR retiree leaders.	0.3
02.10.04	Review email from Qwest Retiree leader Hazel Floyd re: point of contact for flow of information from Qwest Retirees about information, data and documents now being gathered from hundreds of Qwest retirees; draft email response to Ms. Floyd with guidance.	0.2
02.11.04	Draft email note to Qwest Retiree leader Hazel Floyd on information being gathered.	0.1
02.12.04	Review February 10 letter from Jane Gray, AUSWR Representative - Pueblo area with extensive information, documents, memos, notes and data gathered from numerous listed retirees in Arkansas Valley Region of Colorado; begin compiling chronological facts for insertion in a state law complaint. (1:20-3:15 and 9:05-12:00).	4.5
02.18.04	Review email chain from AUSWR Qwest Retiree leaders on list of all known Colorado residents served by Independent Telephone Companies and consider potential state law forums.	0.4
02.20.04	Review information from anonymous Qwest Retiree on testimony about retiree telephone concession that should be in files at Arizona Corporation Commission; tcs with ACC representatives about procedure to obtain archived files.	0.5
	Begin research for case law on applicability of ERISA and DOL regulations to employer goods and services provided at discount to retirees. (8:50 p.m.-10:00 p.m.)	1.0
02.23.04	Tc with Qwest Retiree leader Nelson Phelps about planned email announcement on records and documents sought from targeted Qwest Retiree 'packrats' harboring useful information for proposed lawsuit; review proposed email note re: same; further tc with Mr. Phelps re: same; review final email note broadcast to Qwest Retirees.	0.5

02.24.04	Tc (conference call) with AUSWR Qwest Retiree leaders Howard Rickman, Hazel Floyd and Nelson Phelps on financing costs and effort for proposed lawsuit, logistics and information sharing for all covered former U S WEST regions (MB, PNB and NWB). (11:00-12:30)	1.5
	Review series of emails from numerous Qwest Retirees comment to AUSWR email broadcast seeking support and information for planned legal proceeding; draft email responses to same.	0.4
02.25.04	Tc with AUSWR Qwest Retiree leader Hazel Floyd re: discussions with Qwest Retirees and chosen named Plaintiff Wesley Colvin of LaJunta for proposed state law action.	0.3
02.28.04	Review email from AUSWR Qwest Retiree leader Jim Burns on different aspects concerning independent telephone concession service; draft email responsive note to Mr. Burns.	0.1
02.29.04	Review email from AUSWR leaders re: comments received from very pessimistic class members (wishing to remain anonymous) and draft email responsive comments.	0.3
03.03.04	Half day review of several weeks collection of regular mail communications stuffed with hundreds of pages of documents concerning Retiree Telephone Concession received from the following Qwest Retirees: Randolph Grosz, Russell and Norma Carlson, Joan Molen, Raymond Recker, C. Barton Cronin, Gerrie and Don Mead, Harvey Schreinner, Kathryn Benson, Edward Kulak, Donna Heer, Thomas & Janet Dillon, Rowland Wimmer, Cecil Kennedy, Cheryl and Doug Gorton, S. LaVon Rost, Richard Jones, Fred Zimmerman, Bill Corbin, G.L. Kuest, William Hammond, Keith Barnes, N.W. Gregory, John W. McCoy, Roy Garrett, Kenneth Rohl, Harold Green, Vern and Carol Hooker, Dorothy Sandness, Sally Rothenberger, J.D. Blackert, Yvonne Wright, Joseph Reinert, Eleanor Miller, Roger and June Hovland, Walter Oyloe, Ida Bailey, Wilma Raether, M.C. Sheffloe, Fraser McLaughlin, Don West, Ada Bulloch, Norman Freed, Paul Brown, Richard Jensen, Dale Lowry, Betty Shaw, C. Cavender, Edgar Ayers, Alan Ritchie, James Mogck, Kay Rudek, Gertrude Steffins, Joyce Mermis, and Charles Grandeville. (12:20-5:00).	4.5
03.04.04	Review email chain from Qwest Retirees (CWA members) re: status of CWA involvement and search for information on grievances, if any; draft email response to same persons.	0.2

	Review additional email from Qwest Retirees (CWA members) and documentation re: December 13, 2003 announcement from CWA Annie Hill to members re: change to concession; draft email not requesting follow-up information to Qwest Retirees (CWA members).	0.2
	Continue research case law on applicability of ERISA to employer goods and services provided at discount to retirees - 5 th Circuit ruling - and Internet search for cases involving former Bell System companies and telephone concession. (8:20 p.m.-10:00 p.m.)	1.5
03.07.04	All day - off and on - reviewing of extensive collection of documents and drafting of a state law complaint; draft email note with explanation to Mr. Colvin and AUSWR Qwest Retirees requesting legal action. (9-15-3:10).	5.0
03.08.04	Review series of email chains from Qwest Retirees commenting on my first draft of proposed state law complaint; consider comments, suggestions and incorporate, as needed into revised 2 nd draft of proposed state law complaint.	0.9
	Tc (lengthy) with Mr. Colvin discussing 1 st draft of proposed state law complaint and explanation of legal proceedings.	0.4
	Tc with AUSWR Qwest Retiree leader Hazel Floyd re: additional discussions with Qwest Retirees about potential named plaintiffs to act along with Wesley Colvin of LaJunta for proposed state law action; draft email note to Ms. Floyd confirming discussion and seeking additional information.	0.3
	Continue reviewing extensive collection of documents and make revisions to 1 st draft, creating 2 nd draft and send email note re: same to Mr. Colvin, AUSWR and class members soliciting feedback and further information. (6:20-9:30 p.m.)	3.0
03.09.04	Tc with Mr. Colvin to discuss his review of 2 nd draft of Complaint; draft email note re: same to Mr. Colvin.	0.2
	All day - off and on - continue reviewing extensive collection of documents and make revisions to 2 nd draft, creating 3 rd draft. (8:20-5:50 p.m.)	6.5
03.10.04	Tc with Mr. Colvin re: okay to file with final draft is ready; draft email note re: same to Mr. Colvin.	0.1

	Search Internet for information on Judges assigned to Otero County District Court and civil court case experience.	0.5
	All day - off and on - continue reviewing extensive collection of documents and make final revisions to 3 rd draft and prepare final complaint ready for filing tomorrow; draft email note to Mr. Colvin, AUSWR and class members re: final complaint and continued request for documents. (9:20 a.m -8:40 p.m.)	8.0
03.11.04	Draft email note to Qwest counsel Richard Baer and Cynthia Delaney re: 21 page Class Action Complaint filed today to Otero County District Court.	0.1
	Tcs from AUSWR Qwest Retiree leaders with comments on final complaint filed today.	0.3
	Draft email and faxed note to CWA Vice President John Thompson advising of filing of <i>Colvin</i> class action complaint.	0.1
	Review March 11 email note from Qwest Retiree representative Howard Rickman re: information from Qwest Retirees about a possible CWA grievance to be pursued against Qwest; draft follow-up email to Mr. Rickman re: same; tc with AUSWR Qwest Retiree leader Nelson Phelps re: same.	0.2
	Review March 11 email note from Mr. Colvin re: filing and draft response email note to Mr. Colvin; review additional email note from Mr. Colvin re: other interested potential named plaintiffs; draft responsive email note to Mr. Colvin re: same.	0.2
	Review March 11 email note from Qwest Retiree Arthur Bangle re: information on public statements about retiree telephone concession; draft follow-up response to Mr. Bangle seeking further information.	0.1
03.12.04	Review March 12 email note from Mr. Colvin re: other interested potential named plaintiffs; draft responsive email note to Mr. Colvin re: same.	0.1
03.15.04	Review email forwarded from Qwest Retiree Maxine Hughes and attachments re: documents to seek formal discovery about - CWA agreements with Qwest on continuation of Retiree Telephone Concession and consider formal discovery of CWA representatives of the past.	0.5

03.16.04	Review March 16 email from Mr. Colvin re: his statement to newspaper reporter and article appearing in LaJunta Tribune Democrat; Tc with Mr. Colvin re: same; draft email note to Mr. Colvin re: same.	0.2
03.17.04	Review March 17 email notes from Qwest Retirees John Berquist and Donald Knapp re: documents and information on retiree telephone concession; draft responsive emails to Mr. Berquist and Mr. Knapp.	0.2
03.30.04	Review and analyze additional cumulated documents (hundreds of documents and company newsletters) received from class members and draft email update to Mr. Colvin, AUSWR and class members re: particularized documents received and others that someone should search for. (11:50-3:05).	3.0
03.31.04	Review series of email chains as feedback to my March 30 email comments and request for further documents; draft email responses to questions asked.	0.3
04.01.04	Review and analyze Answer filed by Qwest and consider issues raised for formal discovery; draft update report to Mr. Colvin, AUSWR and class members re: same. (3:10-4:30).	1.3
	Review March 31 email from class member Robert Spiros with particularized question about telephone concession in retirement homes; tc with AUSWR Retire leader Mimi Hull for explanation; draft email note responsive to Mr. Spiros' questions.	0.3
04.08.04	Half day review several weeks collection of regular mail communications stuffed with hundreds of pages of documents concerning Retiree Telephone Concession received from the following Qwest Retires: Paul Lass, Donald and Phyllis Hoy, Joe McFarland, Donald Knapp, Frank and Patty Granato, Donald Thomas, Myrtle Osnes, Grace Gilbert, James and Alice Graslie, Albert Holman, Bob Nije, Robert C. Quade, Walter Black, Lenore Honke, Oleta Payne, Lydia Young, James Dollimer, Bruce Krentz, Leo Wagman, Robert LeGendre, Duane Blake, Julius Krabbenhoeft, Garth Linkey, Ralph Ward, David Faulkner, Harold Hemphill, Fawnea Bacus, Vincent Maag, Craig and Connie Larsen, Norm and Linda Hiller, Bruce Simner, Charles Garr, G.V. Phillips, Anna Tsifas, William Park, Melvin Dunkle, and Margaret Hawkins; consider new facts and draft proposed changes to make in the pending Complaint. (1:05-4:45).	3.5

04.10.04	Draft email note to Mr. Colvin, AUSWR and class members requesting particular Retiree Telephone Concession documents, including February 12, 1990 U S WEST Today publication.	0.2
04.14.04	Half day review all documents (hundreds) collected from class members to date, determine usefulness and relevance and prepare beginning "List of Retiree Telephone Concession Reimbursement Documents" 10 pages with comments on key matters and legal significance; draft update report re: same to Mr. Colvin, AUSWR and class members. (11:20-3:45).	4.0
04.16.04	Draft extensive report to 4 additional prospective named plaintiffs for LaJunta filing - James Hasenack, Dennis Lyons, Wesley Roscover and Donald Thomas with explanation about legal procedures and events to occur in the <i>Colvin</i> case.	0.8
04.15.04	Draft, revise and final "Plaintiff's Rule 26 Initial Disclosures" and send to Mr. Koenigs and Mr. Quigg with revised list of retiree documents already collected. (3:50-5:45).	1.7
04.16.04	Review April 16 email note from Mr. Koenigs and respond to same suggesting meeting during the week of April 26; review Mr. Koenigs' follow-up email note setting meeting date.	0.1
04.17.04	Draft email report requesting data from Mr. Colvin, AUSWR and class member for use in proposed deposition subpoena.	0.4
04.19.04	Review series of email notes from class members answering my request in my April 17 email for data and useful discovery information; draft email note responses to same.	0.3
04.20.04	Review April 20 email note from Qwest Retiree representative Nelson Phelps on compensation received for loss of local telephone concession service; tc with Mr. Nelson re: same and feedback from other retirees.	0.5
04.20.04	Revise and final a deposition subpoena duces tecum and draft email note re: same to Mr. Koenigs.	0.9
	Review April 20 email note from Mr. Koenigs opposing any discussion about discovery and consider implications for the case management order.	0.2

	Review compilation of papers received from class members re: North Dakota decision in <i>Stark v. U S WEST</i> regarding sale of local exchanges challenged by certain customers and conditions of approval; draft report to Mr. Colvin, AUSWR and class members requesting follow-up information and data from persons in North Dakota.	0.8
04.21.04	Review series of October 2003 email exchanges between class member Robert Horton and Qwest Jill Sanford and concerning 1980 version of I.M. 122 and draft email report to Mr. Horton requesting follow-up information.	0.5
	Review series of available U S WEST Today publications; draft email request to Mr. Colvin, AUSWR and class members for copies of certain missing and expected useful U S WEST Today publications.	0.8
	Review email chain from Qwest Retirees identifying and referring to location of expected useful publications.	0.2
04.22.04	Draft letter to class member Robert Clemens acknowledging receipt of his useful documents and responding to his questions and concerns.	0.2
04.26.04	Length review of all additional documents (dozens) collected from class members since April 14, determine usefulness and relevance and prepare updated "List of Retiree Telephone Concession Reimbursement Documents" 13 pages with comments on key matters and legal significance; draft update report re: same to Mr. Colvin, AUSWR and class members. (8:15-9:45 p.m.)	1.4
04.27.04	Draft and revise a proposed Case Management Order and email note re: same to Mr. Koenigs in advance of tomorrow's meeting. (11:05-12:20).	1.0
04.28.04	Final preparation for today's meeting with opposing counsel to go over a proposed case management order.	0.5
	Meeting with Mr. Koenigs and Mr. Carroll to discuss issues and potential case management order. (1:40-3:00).	1.3
	Draft extensive update report to Mr. Colvin, AUSWR and class members on today's meeting with opposing counsel and explanation about future events.	0.5

04.29.04	Review series of email chains from class members commenting on work performed to date with suggestions; draft email responses to same.	0.3
	Review April 29 letter from Mr. Carroll returning documents I produced, now bates stamped WC001-WC447 with video tape; tc (lengthy) with Qwest Retiree representative Hazel Floyd on additional documents collected from class members to be sent to me.	0.3
05.01.04	Review April 29 email note from Qwest Retiree representative Jack Ott and draft email response to his concerns and questions.	0.1
	Review May 1 email note from class member W.E. Corbin re: source of documents to consider and comments; draft email response to Mr. Corbin.	0.1
	Review May 1 email note from class member Karen Parrish re: source of documents, including RPP 1207 versions to consider and comments; draft email response to Ms. Parrish.	0.1
05.02.04	Review extensive documents and very useful data mailed to me by anonymous Qwest Retiree and consider formal discovery against Qwest for further details.	0.7
05.03.04	Review May 3 email from CWA LeRoy Christensen re: copies of RPP1207; draft email note to Mr. Christensen requesting same and inquiring about grievances, if any, filed by CWA against Qwest; tc with Qwest retiree representative Nelson Phelps to promote more involvement of CWA.	0.3
	Review April 30 letter from Qwest Retiree Karen L. Parish with complete copy of RPP1207 issued by U S WEST in 1990; extensive review of document.	0.8
	Review papers received from Qwest Retiree Donald Stockton and draft email note to Mr. Stockton commenting on his valuable information.	0.5
	Review May 3 email note from Mr. Carroll with attached letter containing Qwest's initial disclosures; consider arguments made in formal document and consider formal discovery list to prepare; draft email response to Mr. Carroll complaining about Qwest's refusal to make certain disclosures, etc..	0.7

05.04.04	Review May 4 email note from Mr. Carroll with current collection of Qwest's Rule 26 initial disclosure documents and note matters for a potential amended complaint.	0.5
05.05.04	Review box of recently obtained documents delivered to my office from Qwest retirees; draft email report to Mr. Koenigs with updated list of Retiree Telephone Concession Documents containing new documents dated September 1976, June 15, 1990, October 15, 1990, September 1996 and July 30, 1999.	0.9
05.05.04	Review May 3 mailing from CWA LeRoy Christensen containing 52 page RPP-1207, 99-04 edition; consider new matters set forth therein; draft email note to Mr. Christensen acknowledging receipt of his helpful documents.	0.7
05.08.04	Review May 7 letter from Mr. Carroll about returned documents; tc with Mr. Carroll (voice message) re: same.	0.1
	Review May 7 email from Mr. Carroll with attached copy of Qwest's proposed motion for entry of a modified CMO and draft of a proposed CMO and consider defense arguments to rebut.	0.5
05.11.04	Review email from Qwest Retiree class member Jack Eyres with attached documents - Concession Parity Policy dated January 24, 1990 and consider same; draft email note to Mr. Eyres re: documents received and respond to his questions.	0.3
	Review case law and draft rebuttal argument and email note to Mr. Koenigs about case management order and the "Communications Plan Concession Parity Policy" and plaintiff's position on conducting discovery on liability issue.	0.8
	Draft update email note to Mr. Colvin, AUSWR and class members.	0.1
05.14.04	Review May 14 email note from Mr. Koenigs with response to the points raised in my May 11 email; begin drafting changes to make to the filing to submit to the Court. (10:50-12:10).	1.1

05.16.04	Half day review of several weeks collection of regular mail communications stuffed with hundreds of documents concerning Retiree Telephone Concession received from the following Qwest Retires: Barbara Brown, Joseph Michels, Jack and Candy Ludwig, Lucille Dyer, Walt Trandum, Patsy Reiner, R.V. Norton, Jack Sabin, Bill Price, Albert Maas, Nelson Phelps, Larry Smith, Grace Hall, Ed and Joan Catlett, Donald Stockton, Ronald Loman, Donnetta Mitchell, John Postovit, Nadine Nelson, Lou Cicco, L.E. Manders, Gary Rostock, Robert Clements, Robert Orton, Robert Peeples, Adeline Downey, Joseph McFarland, Richard Ulve, Evan and Dorothy Pruitt, Joann Deming, John Postovit, Donna Heer, James Mogck, Harold Hamm, Christian Hell, Paul Lass, Jack Eyres and Rebecca Maske; consider new facts and and draft proposed changes to make pending revision for existing Complaint. (1:20-4:35).	3.0
05.18.04	Final revisions to the proposed case management document received in Mr. Koenings' May 14 email and return email note to Mr. Koenigs for consideration.	0.8
	Final revisions to the proposed order on management order received in Mr. Koenings' May 14 email and return email note to Mr. Koenigs for consideration; review May 18 email note from Mr. Koenigs re: same and his latest revisions; draft email note to Mr. Koenigs confirming he may file documents with the Court.	0.6
	Review May 17 email note from Qwest Retiree Elaine Hansen and draft email note to respond to her comments and questions.	0.1
	Review May 18 email note from Mr. Colvin re: his travel plans and how to contact him; draft email note to Mr. Colvin re: same.	0.1
05.24.04	Review old email request by Mr. Koenigs for page number in Federal Practice & Procedure, check notes and email answer to Mr. Koenigs' question.	0.1
05.25.04	Consider and begin drafting, and collect case law to support motion for class certification of the <i>Colvin</i> case. (1:15-5:30)	4.0
05.26.04	Tc (voice message) to Mr. Koenigs about plan to file a motion for class certification; review May 26 email note from Mr. Koenigs re: my telephone call and Qwest identifying a witness with knowledge regarding the labor agreements.	0.1

05.28.04	Review May 28 email note from Mr. Koenigs re: his receipt of Court's Modified Case Management Order providing I must wait to file a motion for class certification.	
	Draft update report to Mr. Colvin, AUSWR and class members on the court's ruling for discovery in the case.	0.3
06.03.04	Begin compiling list of documents that ought be sought in formal document request and consider potential witnesses.	0.6
06.09.04	Review email note from class member Velma Jo Black with attached information on her documents about Retiree Telephone Concession and review of documents.	0.2
06.16.04	Review email note from Qwest Retiree class member Donald A. Thomas with attached information on documents he received about Retiree Telephone Concession and review of documents; draft email note to Mr. Thomas to answer his questions about participating in the <i>Colvin</i> case.	0.3
06.22.04	Review extensive documents received from anonymous Qwest retiree concerning Retiree Telephone Concession and incorporate same into a proposed revision of the pending complaint.	0.5
07.06.04	Review email chain from class members about Telephone Concession and additional documents that could be sent to me and draft email response to same.	0.1
07.19.04	Review pile of recently obtained documents from Qwest retirees; draft email report to Mr. Koenigs with updated list of Retiree Telephone Concession Documents containing new documents dated June 1, 1979, December 1980, May 10, 1983, December 1983, October 1, 1984, February 1988, February 6, 1990, February 26, 1990 and April 1, 1999 and propose there be a mediation as briefly discussed with Qwest General Counsel Rich Baer at a hearing in the <i>Strauss</i> case.	0.8
07.20.04	Review July 20 email from Mr. Carroll about documents and Mr. Koenig's vacation; tc from class member re: what documents have I requested.	0.1
07.21.04	Meeting in Helena, MT with numerous Montana and Idaho based Qwest retirees and give presentation, including issues pending in <i>Colvin</i> case and respond to class retirees' questions about settlement. (10:10-1:00).	0.5

07.22.04	Draft note to Qwest Retiree representative Eldon Graham re: 5+5 video taping of comments by U S WEST Charlie Kamen and Barbara Doherty on commitments re: retiree telephone concession.	0.2
07.24.04	Review July 24 email note from Qwest Retiree representative Eldon Graham on PNB documents obtained from class members about the telephone retiree concession benefit and respond via email note to Mr. Graham.	0.2
07.27.04	Review July 26 letter from Mr. Carroll re: return of documents; tc with Mr. Koenigs about my proposal for conducting a Qwest paid for mediation with the Judicial Arbiter Group (JAG); draft email note to Mr. Carroll to inform him that documents have been returned to me.	0.2
07.28.04	Review July 28 email note from Mr. Koenigs with attached copy of Modified Case Management Order - May 19 ruling by Judge Schiferl.	0.1
08.02.04	Review August 2 email note from Mr. Koenigs confirming calendar date for mediation at JAG's office in Denver; draft email note with explanation to Mr. Colvin, AUSWR and class members requesting appointment of a mediation team.	0.4
08.03.04	Review email chain from Qwest Retiree class members re: appointment of mediation team representatives for September 14 mediation and respond to same; review email note from Mr. Colvin about attending the mediation and respond to same.	0.2
08.05.04	Review August 3 letter from JAG confirming the mediation on September 14 and charges for same; draft update report to Mr. Colvin, AUSWR and class member re: same and progress of selection of mediation team members.	0.2
	Review AUSWR and class members' proposed report for retiree newsletters, revise same and email note to Mr. Colvin, AUSWR and retiree members re: same and soliciting settlement comments and proposals; tc with AUSWR members Nelson Phelps and Mimi Hull and efforts to canvas retiree class members for input, comments and suggestions; review final email announcement made by retiree representatives to class members.	0.7

08.06.04	Tc with retiree class members selected representatives Nelson Phelps re: Larry Smith and Jim Burns on persons contacted and input from class members; tc with mediation team member Mimi Hull on proposals and issues for mediation.	0.5
08.08.04	Review August 8 email note from Mr. Colvin listing additional persons willing to be named plaintiffs and review records and documents produced by listed persons.	0.4
08.10.04	Draft extensive email note to Mr. Colvin on his attendance at the planned September 14 mediation and assistance of class member representatives; review email note from mediation team member Jim Burns on mediation attendance.	0.2
08.11.04	Review faxed copy of August 11 letter from JAG confirming September 14 mediation and requesting mediation materials by September 7; draft email note to Mr. Colvin and mediation team members re: same.	0.2
	Begin assembling materials and consider documents and arguments for presentation at September 14 mediation and consider hundreds of letters from class members. (7:10-9:40).	2.3
08.15.04	Continue assembling materials, reviewing documents and preparing for presentation to make at September 14 mediation and begin draft of a position statement to submit by September 7. (2:20-5:10)	2.5
08.16.04	Review email from Qwest Retiree and part-time employee Louis H. Greco re: CWA grievance filed against Qwest re: telephone concession issues; draft email response requesting further information about retiree telephone concession and grievances, if any; tc with Mr. Greco (voice message) re: same.	0.2
	Review fax received from Mr. Greco re: CWA grievance action against Qwest (July 28 and July 29 correspondence - LeRoy Christensen and Cynthia Kok); further tc with Mr. Greco re: same.	0.2
08.17.04	Review email chain from Qwest Retiree class members re: meeting in Denver in preparation for September 14 mediation and respond to same.	0.1
	Begin research of developments in the telephone concession case of <i>Joseph Ponder v. AT&T Corporation, Lucent, et al</i> , Case No. 99-CV-507, Southern District of Ohio.	0.8

08.18.04	Review and consider comments in extensive email chain from Qwest Retiree Howard Rickman with detailed input from class members - 20 contacts reflecting acceptable settlement solutions.	0.3
08.19.04	Draft email to Mr. Koenigs relaying knowledge about Qwest's agreement with CWA and proposal to advise Judge Schiferl that parties are going to pursue mediation; draft update report re: same to Mr. Colvin, AUSWR and class members; review August 19 responsive email from Mr. Koenigs.	0.2
08.22.04	Review accumulated regular mail with documents and comments for settlement proposal received from the following Qwest Retirees: Jean Gammell, Gerald Parks, William Wilson, Phyllis Morley, Terry Ekholm, John Turcheneske, Marjorie Fraley, Nancy Loomis.	0.9
08.20.04	Review email chain from Qwest Retiree class members re: evening meeting before mediation and respond to same.	0.1
08.23.04	Update the "List of Retiree Telephone Concession Documents" (17 pages) and send email report to Mr. Koenigs re: documents being mailed for photocopying.	0.3
08.24.04	Review August 23 email from Mr. Koenigs with proposed stipulation for entry of first modified case management order to file with Court; draft email response and request agreement on going forward with formal discovery.	0.2
	Continue and complete extensive Internet research and fact finding on developments in the telephone concession case of <i>Joseph Ponder v. AT&T Corporation, Lucent, et al</i> , Case No. 99-CV-507, Southern District of Ohio and draft extensive report re: same to Mr. Colvin, AUSWR and class members. (10:10-12:40).	2.2
08.26.04	Review August 25 letter from Mr. Carroll with joint motion as filed with the Court;	0.1
	Consider needed discovery and draft, revise and final a Notice to Take Rule 30(b)(6) Deposition with First Requests For Production of Documents and email note re: same to Mr. Koenigs. (2:10-3:30).	1.3
	Draft additional email note to Mr. Koenigs requesting agreement for changing deadline for Plaintiff to move to file an amended complaint.	0.1

08.27.05	Review August 27 email from Qwest Retiree class member re: not allowing settlement funds to come from pension fund as in the <i>Ponder v. AT&T</i> case; draft response addressing class member's concerns.	0.1
08.30.04	Review August 27 series of email from Mr. Koenigs with proposed stipulation and draft responsive email note to Mr. Koenigs.	0.1
	Review August 30 letter (4 pages) from Mr. Koenigs setting forth Qwest Rule 408 proposal for settlement; tc with Mr. Colvin re: same and consideration of issues and problems Qwest's proposal would create; draft several email notes to Mr. Koenigs re: his reference about LeRoy Christensen and when class members will have a response; draft update report to Mr. Colvin, AUSWR and class members re: same.	0.8
	Review email chain from class members' chosen mediation team and consider <i>numerous</i> comments and respond to same.	0.5
08.31.04	Tc conference call with class members' chosen mediation team to consider and decide upon a response to Qwest's offer appearing in Mr. Koenigs' August 31 letter.	0.7
	Review August 31 email from Mr. Koenigs with copies of two union grievances he referred to in his August 30 letter; draft update letter re: same to Mr. Colvin, AUSWR and class members.	0.2
	Review additional email notes from class members and the chosen mediation team and consider comments and respond to same.	0.3
09.01.04	Review additional email notes from class members and the chosen mediation team and consider comments and respond to same.	0.2
09.07.04	Review email from class member re: forwarded information from Qwest Retirees about Qwest announcing a new long distance service plan charge and consider same for upcoming mediation (issue about fees if not \$20 and over).	0.1
09.08.04	Half day work on drafting, considering and finalizing Plaintiff's Confidential Settlement Statement (extensive explanation and supporting agreements) sent via fax to William D. Neighbors, Judicial Arbitrator Group; draft email note re: same to Mr. Koenigs; (7:20-12:00).	4.0

	Draft update report to Mr. Colvin, AUSWR and class members re: retirees' response to Qwest's settlement proposal in August 30 letter.	0.2
09.10.04	Review September 10 letter from Mr. Colvin re: attendance of CWA representatives at mediation; tc with retiree chosen mediation members; review email note from mediation team member Jim Burns re: same; draft email note to CWA LeRoy Christensen inviting his attendance; and draft email note to Mr. Koenigs confirming retirees want CWA representatives present; review follow-up email note from Mr. Koenig's with his letter to JAG reporting CWA to participate.	0.9
	Tc (lengthy) with CWA LeRoy Christensen and CWA counsel Rosenblatt about attending the mediation and our respective positions.	0.8
	Draft additional email note to Mr. Koenigs to identify retiree mediation team members Mimi Hull, Eldon Graham and Jim Burns; tc (lengthy) with mediation team member Mimi Hull re: more feedback from retiree class members on an acceptable settlement solution.	0.5
09.11.04	Tc with Mr. Colvin about telephone expense records to bring to the mediation; draft follow-up email note to Mr. Colvin about the mediation process and documents to bring.	0.5
	Review September 11 email note from mediation team member Jim Burns and respond to same with explanation.	0.1
09.12.04	Review email note from Mr. Colvin about telephone expense records; tc with Mr. and Mrs. Colvin re: same.	0.2
09.13.04	Review of file, documents, research and notes in preparation for tomorrow's mediation proceeding. (10:20-12:40); Review papers hand delivered from Maryls Rathbun on a lawsuit she filed in Phoenix Federal Court - consideration of issues that may or may not impact mediation for tomorrow (6:30-8:00).	3.5
	Meeting discussion with mediation team members Mr. Colvin, Mimi Hull, Eldon Graham and Jim Burns on tomorrow's mediation. (6:30-9:00 p.m.).	2.5
09.14.04	Final preparation for today's mediation.	0.5

09.14.04	Attend mediation before Justice William Neighbors; discussions with CWA representatives, discussions with mediation team members and resolution reached. (9:30-1:30).	4.0
09.15.04	Draft update report to Mr. Colvin, AUSWR and class members on outcome of yesterday's mediation; draft email note to Mr. Koenigs re: his voice message left yesterday.	0.2
	Review detailed email note from Mr. Koenigs outlining the settlement reached in yesterday's mediation; draft short report to Mr. Colvin and mediation team members; tc with mediation team members Mimi Hull and Mr. Colvin; draft confirming email note to Mr. Koenigs re: same.	0.4
09.16.04	Draft detailed update report to Mr. Colvin, AUSWR and class members on outcome of the mediation and steps to follow in place.	0.3
09.17.04	Review series of email notes from class members commenting on the outcome of the mediation and email responses to questions.	0.2
09.18.04	Meeting in Salt Lake City, UT with numerous Utah based Qwest retirees and give presentation, including issues pending in <i>Colvin</i> case and respond to class retirees' questions about settlement. (9:45-1:00).	0.5
09.20.04	Review additional email notes from class members and mediation team members, consider comments and respond to same.	0.3
09.21.04	Review September 21 email note from CWA counsel Rosenblatt to Mr. Koenigs confirming accuracy of summary of agreement; review and respond to email notes from mediation team members about what to report in Retiree newsletters.	0.5
09.22.04	Review and edit report for Retiree newsletters about the outcome of the Colvin case mediation and the next steps to take place; draft email notes to Mr. Colvin and other mediation team members re: the same.	0.3
	Review invoice received from JAG for mediation costs and draft email note to Mr. Koenigs re: Qwest payment of same.	0.1
09.23.04	Review email and fax note from Mr. Koenigs re: payment of JAG invoice; draft email note re: same to Mr. Koenigs; tc with mediation team member Mimi Hull re: same.	0.1

09.24.04	Review proposed news article by mediation team member Jim Burns for retirees in NWB areas, revise same and email note to Mr. Burns to answer his questions.	0.2
09.27.04	Review additional email notes from class members and the chosen mediation team and consider comments and respond to questions about who is and who is not to be included.	0.2
09.29.04	Review email note from Mr. Colvin with extensive attachments and draft email note to Mr. Colvin that review will go forward tomorrow.	0.1
09.30.04	Review and consider changes to proposed settlement documents for filing with the Court. (1:45-4:00).	2.0
10.01.04	Tc with Mr. Koenigs on various matters for settlement documents.	0.3
	Revise proposed Amended Complaint and revise proposed stipulation for amendment; draft email notes re: same to Mr. Koenigs; review responsive email note from Mr. Koenigs re: Qwest preferring to wait.	0.7
10.05.04	Review and make revisions to proposed settlement agreement; draft email note to Mr. Koenigs re: same.	0.8
	Draft update report to Mr. Colvin and mediation team members; review email feedback from mediation team members.	0.2
10.06.04	Review and continuing making more revisions to revised proposed settlement agreement; draft several email notes to Mr. Koenigs re: same; draft update report to Mr. Colvin and mediation team members and review email feedback from them.	0.9
	Review and make revisions to the preliminary settlement approval order and email note to Mr. Koenigs re: changes made.	0.4
10.07.04	Review email note from Mr. Colvin and respond to same.	0.1
10.08.04	Review October 7 email note from Mr. Koenigs re: inclusion for preliminary approval order and Qwest's position on \$50,000 maximum attorney's fees; consider remaining work and draft email note to Mr. Koenigs with further proposal for preliminary approval order and propose \$75,000 maximum attorney's fee award; draft email note re: same to Mr. Colvin and mediation team members.	0.4

10.14.04	Review October 14 email note from Mr. Koenigs with the latest settlement agreement ready to go, read carefully and consider same, and draft email note re: same to Mr. Koenigs; draft email note to Mr. Colvin.	0.3
10.15.04	Meeting in Denver, CO with numerous Colorado based Qwest retirees and give presentation, including issues pending in <i>Colvin</i> case and respond to class retirees' questions about settlement. (10:30-1:30).	0.5
10.16.04	Review October 15 email from Mr. Koenigs with attached revised settlement document ready for Mr. Colvin's signature; tc with Mr. Colvin's spouse re: same; draft email to Mr. Colvin with directions about settlement agreement.	0.3
10.20.04	Review October 19 email from Mr. Colvin's spouse re: locating Mr. Colvin who is hunting and respond to email; draft email to Mr. Koenigs re: same; tc with Mrs. Colvin.	0.2
	Review additional October 20 email from Mrs. Colvin; tc with Mrs. Colvin; draft email note to Mrs. Colvin re: getting Mr. Colvin's signature.; review additional October 20 email from Mr. Koenigs and respond to same; tc from Mr. Colvin.	0.2
10.22.04	Deliver executed settlement agreement to Mr. Koenig's office; draft email confirming delivery and updated to Mr. Colvin, AUSWR and class members; review October 22 email from Mr. Koenigs re: our not requesting hearing on preliminary approval.	0.3
10.23.04	Review October 22 transmittal letter from Mr. Koenigs to Clerk of Otero County District Court; Review October 22 "Motion to Intervene" filed by counsel for Maryls Rathbun - study and analyze reasoning and begin noting issues to raise in opposition of intervention. (2:20-4:10).	1.5
10.28.04	Tc (voice message) from Mr. Koenigs and draft email acknowledgment while traveling in Phoenix-Tucson; tc with Mr. Koenigs to discuss the pending motion to intervene.	0.4
	Meeting in Phoenix with numerous Arizona based Qwest retirees and give presentation, including issues pending in <i>Colvin</i> case and respond to class retirees' questions about settlement. (10:00-12:50)	0.5

10.29.04	Meeting in Phoenix with numerous Arizona based Qwest retirees and give presentation, including issues pending in <i>Colvin</i> case and respond to class retirees' questions about settlement. (10:00-12:30).	0.5
11.08.04	Review November 8 email from Mr. Koenigs and analyze his proposed brief in opposition to intervention; research applicable case law and note matters to address in a revision.	0.9
	Further review of proposed brief in opposition to intervention and draft email note to Mr. Koenigs with proposed changes to make; tc with Mr. Koenigs re: proposed use of Affidavit by LeRoy Christensen of CWA.	0.5
	Draft update report to Mr. Colvin, AUSWR and class members re: Maryls Rathbun's motion to intervene.	0.1
11.09.04	Review Mr. Koenigs' November 9 email with attached final opposition brief filed with the Court.	0.1
11.10.04	(numerous) Tcs and emails exchanged with Qwest Retiree Donnetta Mitchell re: preparation of all documents obtained from class members to be scanned in a searchable file format for litigation purposes in event Rathbun is allowed to intervene and interfere with settlement, thus, prolonging litigation.	0.5
11.11.04	Additional tcs and emails exchanged with Qwest Retiree Donnetta Mitchell re: preparation of all documents obtained from class members to be scanned in a searchable file format for litigation purposes in event Rathbun is allowed to intervene and interfere with settlement, thus, prolonging litigation.	0.3
	Draft email to Mr. Koenigs with suggestion for discussion to be made in Affidavit by William Neighbors to assist with our opposition to Rathbun motion to intervene.	0.2
11.15.04	Review November 15 email from Mr. Koenigs with attached proposed Affidavit for William D. Neighbors; draft response email to Mr. Koenigs with proposed changes to paragraph 5 of Affidavit; draft update to Mr. Colvin, AUSWR and class members; respond to additional email exchange with Mr. Koenigs.	0.4
11.16.04	Review Mr. Koenigs November 16 email to JAG re: Williams Neighbors Affidavit and draft email to JAG confirming Plaintiff's agreement for the same.	0.1

11.17.04	Review Mr. Koenigs November 17 email re: procedure to follow upon submission of Mr. Neighbors' Affidavit and respond to same via email note on Plaintiff's proposal for going forward; further review of Maryls Rathbun's motion for intervention.	0.2
11.19.04	Review November 19 email chain from Qwest retirees re: question about scope of <i>Colvin</i> case class and settlement terms and respond to same.	0.1
11.23.04	Review November 23 email chain with some serious misinformation from Qwest retirees re: question about scope of <i>Colvin</i> case class and settlement terms and draft extensive response to clarify matters.	0.3
11.24.04	Review November 23 letter from Rathbun's counsel with motion for extension of time and proposed order.	0.1
	Review belated fax from Otero County District Court clerk with October 26 order allowing the proposed amended complaint; draft email note re: same to Mr. Koenigs.	0.1
11.29.04	Review November 29 email from Qwest Retiree Karla Derrickson and provide explanation and response to her questions about applicability of proposed <i>Colvin</i> class settlement.	0.1
11.30.04	Review November 30 email from Mr. Koenigs with proposed joint motion in opposition to Rathbun's motion for extension of time and respond to same with email note with additional paragraph to include in joint motion; review additional email note from Mr. Koenigs confirming filing of joint paper.	0.2
12.01.04	Draft update to Mr. Colvin, AUSWR and class members re: hearing now set for Wednesday, December 15 before Judge Schifferl; review email chain from AUSWR and class members re: posting of information concerning the <i>Colvin</i> case and draft directions to follow re: same; draft and exchange several email notes with Mr. Koenigs re: hearing to be held this month before Judge Schifferl.	0.5
	Review searchable CD Rom with all <i>Colvin</i> case documents contained on it and draft email to Qwest Retiree Donnetta Mitchell re: work performed.	0.2

12.07.04	Review December 7 email from Qwest Retiree Louis H. Greco and provide explanation and response to his questions about applicability of proposed <i>Colvin</i> class settlement.	0.1
12.10.04	Review December 10 email from Mr. Koenigs with attached "parties submittal of affidavits"; tc with Mr. Koenigs to discuss the same as ready for filing.	0.3
12.13.04	Review December 13 email from Mr. Koenigs with attached joint sur-reply brief in opposition to Rathbun's motion for intervention; draft extensive email notes to Mr. Koenigs with researched case law and argument to include in papers to be filed.	0.9
12.14.04	Meeting with Mr. Koenigs re: approach to take at December 16 hearing and to obtain additional Rathbun papers filed in Phoenix Federal Court case.	0.3
	Half day review of Rathbun papers filed in Phoenix Federal Court case and review of pending settlement documents and all briefs as preparation for tomorrow's hearing. (3:30-6:10).	2.5
12.15.04	Travel from Denver to LaJunta and final preparation for today's hearing before Judge Schiferl.	6.0
	Attend hearing and present argument before Judge Schiferl; after hearing discussion with Mr. Koenigs; after hearing discussion with Mr. Colvin and other class members. (3:00-5:30)	2.5
12.16.04	Draft update report to Mr. Colvin, AUSWR and class members re: outcome of yesterday's hearing before Judge Schiferl.	0.2
	Draft email note to Mr. Koenigs and revise research paper on arguments for proposed findings of fact and conclusions of law to send to Mr. Koenigs.	0.5
12.17.04	Review December 17 email note from Mr. Koenigs; tc with Mr. Colvin re: his statements made at December 15 hearing.	0.2
01.03.05	Tc with Janice @ Huff Transcription re: transcript of December 15 hearing and logistics.	0.1
01.06.05	Review transcript of December 16 hearing (44 pages) and note issues and arguments for use in post-hearing brief to be filed.	0.9

01.12.05	Review of January 12 draft from Mr. Koenig of joint proposed findings of fact and conclusions of law; review case law, make changes, second review of December 16 transcript, and prepare draft to return to defense counsel. (2:10-5:20).	3.1
01.13.05	Continue revisions to joint proposed findings of fact and conclusions of law and email note with revised draft to defense counsel.	0.8
01.14.05	Continue extensive revisions to joint proposed findings of fact and conclusions of law and email note with revised draft to defense counsel.	0.9
	Review January 14 email from Mr. Koenigs and respond with proposed changes for paper to be filed; tc with Mr. Koenigs; further email and revisions for paper to be filed. (2:45-4:30)	2.3
	Review final paper as faxed to the Court by Mr. Koenig's office.	0.2
01.17.05	Draft update to Mr. Colvin, AUSWR and class members; tc with Mr. Colvin re: same.	0.5
01.19.05	Review and analyze Maryls Rathbun's proposed memorandum and order filed with the Court.	0.8
01.27.05	Further review of Maryls Rathbun's proposed memorandum; tc and email with Mr. Koenig's re: submitting our proposed order to Court on a diskette.	0.6
02.28.05	Review email chain from class member retirees about Qwest proposed changes to telephone concession and respond.	0.2
04.01.05	Tc to Judge Schiferl's division clerk; Draft update to Mr. Colvin, AUSWR and class members	0.2
04.02.05	Review email chain from class member retirees about CWA's proposed agreements with Qwest on changes to telephone concession and respond.	0.2
04.08.05	Review Judge Schiferl's April 7 Order faxed to me today - 16 pages findings of fact and conclusions of law; draft update to Mr. Colvin, AUSWR and class members; tcs with Mr. Colvin's spouse. (12:40-1:55).	1.2

04.11.05	Review email chain from class member retirees about class member Robert Trygg, McGregor, IA's small's claims court action and recovery against Qwest regarding Retiree Telephone Concession and respond to same.	0.3
	Review April 11 email from class member retiree Mary Meyer and respond to her questions and request for explanation; Review April 11 email from class member retiree Paul Irwin and respond to his questions.	0.3
04.13.05	(Throughout the day) Review and exchange series of email with Mr. Koenigs concerning setting dates for Class Notice deadlines and Fairness Hearing.	0.4
	Review April 13 email from class member retiree Bebra Jenkins and respond to her questions and request for explanation; review follow-up email from Ms. Jenkins and respond to same.	0.2
04.14.05	Review and exchange series of email with Mr. Koenigs re: establishment of a website for the case; draft update report to Mr. Colvin, AUSWR and class members re: website.	0.3
04.15.05	Review April 15 email from Mr. Koenigs with proposed stipulation for entry of order amending preliminary settlement approval and respond to same; draft update report to Mr. Colvin, AUSWR and class members re: same.	0.3
04.18.05	Review Judge Schiferl's amended preliminary approval order; draft email note to Mr. Koenigs re: requesting copy of class notice when sent out.	0.2
04.19.05	Review and exchange series of email with Mr. Koenigs concerning wording, terms and explanation to be included in revised Class Notice deadlines and Fairness Hearing (12:15-1:57).	1.0
	Review and respond to further email exchange with Mr. Koenigs; draft update to Mr. Colvin, AUSWR and class members re: same (4:25-4:45).	0.4
04.21.05	Review and exchange series of email with Mr. Koenigs concerning website established for class members; draft update to Mr. Colvin, AUSWR and class members re: same.	0.7
	Further review of website established by Qwest; draft additional email to Mr. Koenigs requesting additional change for website re: "important deadlines."	0.2

04.22.05	Review April 22 email from Mr. Koenigs re: operational website; review posting at Maryls Rathbun's counsel's website re: Retiree Telephone Concession lawsuit filed against SBC; draft email note re: same to Mr. Koenigs.	0.2
04.24.05	Review summary report prepared by AUSWR class members for publication in retiree newsletter, make changes and advise AUSWR class members.	0.2
04.25.05	Review April 22 note from Jason Stinehart and review copy of Settlement Notice mailed to class members on Friday, April 22, 2005.	0.2
	Review April 25 email note from class member Theresa Breci and respond to her questions and concerns; review April 25 email note from class member George Votava and respond to his questions and concerns.	0.2
	Tcs with class member retirees: spouse of E.A. McCord; spouse of Charles Witcher; Maryanna Barnes, Paul Berauw and Peter N. Poth and answer questions and discuss concerns about settlement.	0.5
04.26.05	Review April 26 email note from class member Dorothy Rearick and respond to her questions and concerns; review April 26 email note from class member Dave Ellis and respond to his <i>many</i> questions and concerns; review April 26 email note from class member Dick Michel and respond to his questions and concerns; review April 26 email note from class member Donald Ericson and respond to his questions and concerns.	0.4
04.27.05	Review April 27 email note from class members John and Bev Inman and respond to their questions and concerns; review April 27 email note from class member Norman Freed and respond to his questions and concerns.	0.2
	Tcs from class members Vernon Blain, Glenn Dalquist, Norman Ericson, Robert True, Hal Schupp and Violet Fenner to respond to questions and concerns.	0.6
04.28.05	Review April 28 email note from class member Theresa Breci and respond to her questions and concerns; review April 28 email note from class member Nicloe Bice and respond to her questions and concerns.	0.2
	Tcs from class members Myra Doak, Lorraine Gee and J. Lyle Palmer to respond to questions and concerns.	0.3

04.29.05	Tcs from class members Shirley Kipper, Helen Edwards, Lynn Naylor, William Kish and Charles Kline to respond to questions and concerns.	0.5
05.02.05	Review May 2 email note from class member Bill Corbin and respond to his questions and concerns.	0.1
	Tcs from class members Charles Zimmer, Jacquelin Feizer, Helen Sineitze, Wanda Burford, Melvin Dunkle and Shirley Pratt to respond to questions and concerns.	0.6
05.03.05	Draft update report to Mr. Koenigs on 'response to class notice' and inquire about payment to surviving spouses.	0.5
	Tcs from class member Mary Kelso, Margaret Ricker and Joyce Trevillian to respond to questions and concerns.	0.3
	Tc with Mr. Koenigs on status of class claims, comments and opt-out notices.	0.3
	Review May 3 email note from class member Donald Hamlin and respond to his questions and concerns; tc with class member Jacqueline Feiger and respond to her questions and concerns.	0.3
05.04.05	Tcs with class members Ruth Gaddis, M.L. McCarty and Richard D. Jensen to respond to questions and concerns.	0.3
05.05.05	Tc with class member M.L. McCarty and draft extensive explanation and report in response to his concerns and litany of questions; tc with class member Roxanna Carpenter and draft extensive explanation and report in response to her concerns and litany of questions; review email from class member Donna Goette and respond to her concerns and litany of questions.	0.4
	Tcs from class members Edna Huston, Wilma Bruce, Helen Lussier, E.R. Newmarker, John Heyser and Bob L. Gass to respond to questions and concerns.	0.6
05.11.05	Tcs with class members Helen Nibarar (sp?) And Verna Pretti to respond to questions and concerns.	0.2
05.13.05	Draft update report to Mr. Koenigs on 'response to class notice' and inquire about payment to surviving spouses; draft update report to Mr. Colvin, AUSWR and class members re: same.	0.6

05.16.05	Review Maryls Rathbun's notice of intent to opt-out and draft email note re: same to Mr. Koenigs; draft update report to Mr. Colvin, AUSWR and class members.	0.2
	Draft email note to Wilma Raether to acknowledge her request for confirmation that her notice to be excluded has been received.	0.1
05.18.05	Review May 18 email note from Mr. Koenigs re: how Qwest will handle payments to spouses of deceased class members and respond to same.	0.1
05.19.05	Review May 19 email note from class member Ralph Ward and respond to his questions and concerns; review April 28 email note from class member Nicloe Bice and respond to her questions and concerns.	0.2
05.20.05	Review additional letter from counsel for Maryls Rathbun confirming her intent to opt-out and draft email note re: same to Mr. Koenigs.	0.1
05.25.05	Draft email note to Mr. Koenigs re: long distance question asked by class members for clarification.	0.1
	Draft <i>final</i> update report to Mr. Koenigs on 'response to class notice'; draft update report to Mr. Colvin, AUSWR and class members re: same; review email feed back from AUSWR class members.	0.4
05.26.05	Tc with class member John Bennett and respond to his concerns; draft email note re: Mr. Bennett to Mr. Koenings; review May 26 email note from Jason Stinehart re: Mr. Bennett; tc with Mr. Bennet re: same.	0.2
05.31.05	Review May 28 email note from class member Wilma Raether and respond to her concerns; draft email note re: Ms. Raether to Mr. Koenigs.	0.1
	Review May 31email note and materials from class member Ethel Bates being requested by Maryls Rathbun's counsel to join her lawsuit and respond to her concerns.	0.2
	Tc from class member Lee Anderson and respond to his concerns.	0.1

06.01.05	Draft email note re: Lee Anderson to Mr. Koenigs; review email response from Mr. Koenigs; tc with Mr. Anderson re: same.	0.1
06.03.05	Draft email note re: Joel Krausse to Mr. Koenigs; review email response from Mr. Koenigs; tc with Mr. Krausse re: same.	0.1
06.06.05	Review email note from class member Kevin Fuller; draft email note re: Kevin Fuller to Mr. Koenigs; review email response from Mr. Koenigs; draft email note to Mr. Fuller and provide explanation about case.	0.2
	Begin drafting Plaintiff's brief in support of fairness; begin drafting CLK Affidavit in support of award of fees and costs. (10:20-12:40).	2.2
06.07.05	Review current draft of brief in support of fairness and make revisions.	0.5
	Draft email note to Mr. Koenigs re: planned completion of fairness brief and papers to be delivered to him on Friday, June 10.	0.1
06.08.05	Review series of email chain communications between Qwest Retiree leader Howard Rickman and Qwest EVP Theresa Taylor on Qwest Retiree long distance concession and DSL matters.	0.2
06.09.05	Review all time records in <i>Colvin</i> case check entries and prepare final report and Affidavit to submit in support of request for attorney's fee award.	0.9
	Total hours:	196.5
	Total Time Charges: 196.5 hours @ \$275 = \$54,037.50 (December 4, 2003 through June 10, 2005)	

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

Executed at Denver, Colorado this ___ th day of June, 2005.

Respectfully submitted,

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CLASS COUNSEL

CERTIFICATE OF DELIVERY

I hereby certify that on this ____ day of June, 2005, a true and accurate copies of the foregoing

**AFFIDAVIT OF CURTIS L. KENNEDY
(with request for payment of Attorney's Fees and Costs)**

was delivered by email and mailed first class postage prepaid to **COUNSEL FOR DEFENDANT:**

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Curtis L. Kennedy