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Of Counsel:
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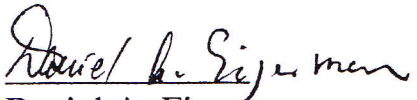
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Mr. Benjamin Cunningham
2429 Southern Boulevard
Bronx, New York 10458

Cunningham v. USMS
U.S. Court of Appeals
Second Circuit

Conference client re: issues to argue on appeal; review PACER (online docket) of District Court re: papers comprising record on appeal; review Federal caselaw re: probable cause, unreasonable search; drafting appeal brief statement of facts, summary of argument; conf. client re: facts, demands re: appeal on additional grounds, unidentified informant leading to mother's apartment (services performed December 8, 13, 14, 15, 20, 21, 22, 23, 2011)

8 hours @ \$ 300 per hour	\$ 2,400
Paid previously	3,190
Due and owing	(\$ 790)


Daniel A. Eigerman
January 4, 2011

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Mr. Benjamin Cunningham
2429 Southern Boulevard
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Re: Cunningham v. DUSMs et al.
2d Cir. Court of Appeals
Index No. 11-3597cv

Collect, review Fourth Amendment precedent case law of United States Supreme Court & Second Circuit; drafting facts portion of appeal brief; telephone case manager re: notice of appearance, deadline to file appeal brief; drafting statement of the case portion of brief; review qualified immunity from liability for Fourth Amendment violations; to & from District Court S.D.N.Y.; conference clerk re: pay appeal fee; conf. clerk Court of Appeals Second Circuit re: file notice of appeal in hard copy; e-file notice of appearance; telephone from client re: filing status, next steps on appeal; outline, review Supreme Court authority re: qualified immunity from Fourth Amendment liability; outline case law re: Fourth Amendment violation; drafting portion of appeal brief argument re: qualified immunity; drafting portion of appeal brief argument re: Fourth Amendment values; review Second Circuit record via PACER re: dismissal order entered 1/13/12; review Second Circuit motion rules; research frivolous appeal; tels. to & fr. client re: dismissal, motion to reconsider; drafting motion; tel. new case manager re: drafting motion papers, must e-file, whom serve; tel. United States Attorney's office re: whether they will oppose motion, leave voice message re: same; drafting portion of motion argument based on Fourth Amendment portion of appeal brief; review VM from U.S. Attorney re: will oppose motion; conference client, Posar, former tenant re: facts on informant; to & fr. S.D.N.Y.; review file re: Magistrate's orders on informant; conf. clerk re: can obtain only via PACER; download, print same

from PACER; drafting motion; tel. from cl. re: defendants' removal of money, personal property; review office files re: collect exhibits; draft Second Circuit Form T1080; tel. cl. re: e-mail motion; do so; tells. to & fr. cl. re: motion content; research *Rosario* and decisions citing the same; drafting motion; assemble, scan in T1080, exhibits, motion; e-file same with Second-Circuit ECF-ECM; draft fax letter US Attorney David Bober re: covering Exhibits D,E,F; tel. case manager re: acknowledges motion effectively filed, should file hard copies of Exhs. D,E,F by Monday; to & fr. Second Circuit; conf. clerk room 370 re: instruction of case manager, submit Exhibits D,E,F. (Services performed January 3, 4, 5, 6, 7, 10, 11, 13, 14, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 30, 2012)

Due and owing January 4, 2012	\$ (790)
41.2 hours @ \$ 300 per hour	12,360
Appeal fee	<u>455</u>
Due and owing	\$ 12,025

Daniel A. Eigerman
January 31, 2012