

**VIRGINIA:**

**IN THE CIRCUIT COURT OF FAIRFAX COUNTY**

FILED  
COURT SERVICES  
2020 NOV -2 3:32

JOHN C. DEPP, II,

Plaintiff and Counter-defendant,

v.

AMBER LAURA HEARD,

Defendant and Counter-plaintiff.

JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

Civil Action No.: CL-2019-0002911

**DECLARATION OF J. BENJAMIN ROTTENBORN**

1. My name is J. Benjamin Rottenborn. All the statements in this declaration are made from my personal knowledge and are true and correct to the best of my information and belief.

2. I am an attorney licensed to practice in Virginia.

3. I am a principal at the law firm Woods Rogers PLC (“Woods Rogers”), and together with Elaine Charlson Bredehoft of the law firm Charlson Bredehoft Cohen & Brown, P.C., (“CBCB”), we are counsel to Defendant Amber Laura Heard (“Ms. Heard”).

4. I submit this Declaration pursuant to this Court’s Order dated October 27, 2020, in support of an award of attorneys’ fees and costs associated with bringing Defendant’s Motion for Sanctions respecting Adam Waldman, Counsel for Plaintiff. (“Motion for Sanctions”).

5. The personnel at Woods Rogers who participated in this matter were: (a) me (J. Benjamin Rottenborn), and (b) Joshua R. Treece, principal. While CBCB also expended time in the preparation of motion and appearance at the hearing, we are not currently seeking an award of fees for their time. In addition, we have exercised billing discretion in not claiming all time

incurred by the attorneys and paralegals on this matter, and not claiming time for the preparation of this Declaration, including reviewing the time and calculating the amounts.

6. The attached itemized chart reflects the time by the above attorneys and paralegal spent on the Motion for Sanctions, followed by the detail of the time entries. The hourly rates for these lawyers are *below* the rates charged by attorneys in Northern Virginia, as set forth in *Vienna Metro LLC v. Pulte Home Corp.*, 2011 U.S. Dist. LEXIS 158648 (E.D. Va. Aug. 24, 2011) (Lee, J.) and reflected in the following chart:

<b>Paralegal</b>	<b>1-3 years of experience</b>	<b>4-7 years of experience</b>	<b>8-10 years of experience</b>	<b>11-19 years of experience</b>	<b>20+ years of experience</b>
\$130-350	\$250-435	\$350-600	\$465-640	\$520-770	\$505-820

7. I have been practicing law for 13 years. I am admitted to practice in Virginia and in Illinois, and in most of the federal trial and appellate courts for those jurisdictions. I have litigated cases as lead counsel in those jurisdictions and throughout the country. I actively litigate in federal and state courts throughout Virginia. In the attached chart, my time entries are identified by my initials, "JBR."

8. Joshua R. Treece has been practicing law for 11 years. Mr. Treece is a graduate of the College of William and Mary School of Law. Mr. Treece is admitted to practice in Virginia and its and in the federal trial and appellate courts. Mr. Treece's practice focuses largely in the areas of employment, torts and business-related litigation.

9. Defendant seeks recovery of a total of 17.7 hours of time I spent on this matter, at an hourly rate of \$320, for a total of \$5,664.

10. Defendant seeks recovery of a total of .8 hours of time Mr. Treece spent on this matter, at an hourly rate of \$295, for a total of \$236.

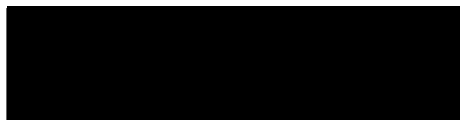
11. The total amount of fees for which reimbursement is sought in direct connection with Woods Rogers' work associated with the Motion for Sanctions is \$5,900.

12. The time expended was reasonable and necessary to achieve the results obtained.

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

November 2, 2020

\_\_\_\_\_  
Date

A solid black rectangular box redacting the signature of J. Benjamin Rottenborn.

\_\_\_\_\_  
J. Benjamin Rottenborn

