

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANIMAL WELFARE INSTITUTE, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 03-2006 (EGS/JMF)
)	
FELD ENTERTAINMENT, INC.,)	
)	
Defendant.)	
)	
FELD ENTERTAINMENT, INC.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 07-1532 (EGS/JMF)
)	
ANIMAL WELFARE INSTITUTE, <u>et al.</u>)	
)	
Defendants.)	

**FELD ENTERTAINMENT, INCS.’S PRAECIPE FILED PURSUANT TO
THE COURT’S JANUARY 23, 2014 ORDER**

Pursuant to the Court’s January 23, 2014 Order, filed as ECF 691 in Civil Action No. 03-2006 (D.D.C.) (EGS/JMF) (the “ESA Action”) and ECF 195 in Civil Action No. 07-1532 (D.D.C.) (EGS/JMF) (the “RICO Action”), Feld Entertainment, Inc. (“FEI”) hereby files this Praecipe setting forth its position concerning the attorney time entries that were partially redacted in FEI’s Petition for Attorneys’ and Expert Witness Fees filed in the ESA Action, No. 03-2006, ECF 635-664 (“Fee Petition”). FEI’s position is as follows:

1. FEI hereby withdraws from its Fee Petition, and therefore does not seek compensation for, all of the attorney time entries at issue, specifically the following:

- The *fourteen (14)* Fulbright & Jaworski LLP (“Fulbright”) *partially redacted* attorney time entries for which FEI originally sought compensation in its Fee Petition.¹ The aggregate value of these entries, as claimed by FEI in its Fee Petition, is \$9,923.04. See Simpson Decl., FEI’s Opposition to Plaintiffs’ Motion for Leave to Take Limited Discovery, No. 03-2006, ECF 677-1, ¶¶ 3-4; Simpson Decl., FEI’s Petition for Attorneys’ and Expert Witness Fees, No. 03-2006, ECF 636, ¶ 242.
- The *165* Covington & Burling LLP (“Covington”) partially redacted attorney time entries for which FEI originally sought compensation in its Fee Petition.² The aggregate value of these entries, as claimed by FEI in its Fee Petition, is \$103,839.45. See Simpson Decl., FEI’s Opposition to Plaintiffs’ Motion for Leave to Take Limited Discovery, No. 03-2006, ECF 677-1, ¶ 5; Gulland Decl., FEI’s Petition for Attorneys’ and Expert Witness Fees, No. 03-2006, ECF 655, ¶¶ 56 & 75.

2. FEI reserves its right to object to the Court’s January 23, 2014 Order pursuant to the time frames and procedures set forth in Fed. R. Civ. P. 53 and Fed. R. Civ. P. 72.

¹ The ESA Action plaintiffs’ Memorandum of Points and Authorities in Support of Plaintiffs’ Motion for Leave to Take Limited Discovery incorrectly states that FEI is seeking compensation for “eleven Fulbright time entries that are entirely redacted” No. 03-2006, ECF 673-1 at 4. In support of this statement, plaintiffs’ Memorandum cites paragraph 242 of the Simpson attorneys’ fees declaration. See *id.* Plaintiffs’ Memorandum incorrectly represented (i) the number of time entries at issue and (ii) the type of redactions. FEI originally sought compensation for fourteen (14) partially redacted Fulbright time entries, and not eleven (11) entirely redacted time entries. See Simpson Decl., FEI’s Opposition to Plaintiffs’ Motion for Leave to Take Limited Discovery, No. 03-2006, ECF 677-1, ¶¶ 3-4; Simpson Decl., FEI’s Petition for Attorneys’ and Expert Witness Fees, No. 03-2006, ECF 636, ¶ 242. FEI hereby withdraws its request to seek compensation for these attorney time entries.

² The ESA Action plaintiffs’ Memorandum of Points and Authorities in Support of Plaintiffs’ Motion for Leave to Take Limited Discovery indicates that FEI’s Fee Petition sought compensation for 175 Covington time entries that were partially redacted. No. 03-2006, ECF 673-1 at 4. Plaintiffs’ Memorandum is incorrect. FEI originally sought compensation for 165, and not 175, partially redacted Covington time entries. Simpson Decl., FEI’s Opposition to Plaintiffs’ Motion for Leave to Take Limited Discovery, No. 03-2006, ECF 677-1, ¶ 5; Gulland Decl., FEI’s Petition for Attorneys’ and Expert Witness Fees, No. 03-2006, ECF 655, ¶¶ 56 & 75. FEI hereby withdraws its request to seek compensation for these attorney time entries.

Dated: January 28, 2014

Respectfully submitted,

/s/ John M. Simpson

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