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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

,		}	Case No. DSF
	Plaintiff,	}	ORDER RE FORMAT OF TIME AND EXPENSE RECORDS
	v.	}	
		}	
	,	}	
	Defendant.	}	
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In addition to any other requirements imposed by statute, case law, and rules of professional conduct, counsel who will be seeking an award of fees from this Court must maintain their records in a manner calculated to permit the Court to evaluate the lodestar amount and the reasonable expenses and costs efficiently and effectively, and must comply with the following:

1. All services rendered must be listed chronologically in a single document (presumably prepared monthly, but no less often than quarterly) so that the Court can readily determine what services were rendered by all timekeepers on each day. Counsel are not to submit separate billings by timekeeper or by firm.

1 2. The records shall state, for each entry: the name or initials of the  
2 timekeeper, the hourly rate sought for the timekeeper, a description  
3 of the services performed, the amount of time billed, and the dollar  
4 amount charged for that entry (i.e., the time spent multiplied by the  
5 hourly rate). These dollar amounts may not be “rounded up.” While  
6 the Court will not mandate use of the litigation codes from the  
7 Uniform Task-Based Management System (UTBMS) if counsel do  
8 not already use that system, the Court will require that counsel  
9 provide, at the time a fee request is made, a summary of the total fees  
10 attributable to categories such as those described in the UTBMS.

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12 3. The services rendered must be described in sufficient detail for the  
13 Court to determine the nature and reasonableness of the services.  
14 Generic or general activity descriptions are inappropriate. Entries  
15 such as “research and preparation of motion to dismiss,” “conference  
16 with client,” and other non-specific descriptions will generally not be  
17 considered adequate, especially if the amount of time billed is  
18 significant. (Time records ultimately filed publicly with a motion for  
19 fees may be redacted to preserve the attorney-client privilege or work  
20 product. The Court will require an *in camera* unredacted  
21 submission.) All abbreviations or codes must be explained.

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23 4. *Time records must be maintained on a contemporaneous basis,*  
24 *and a declaration from counsel to that effect will be required.*  
25 Timekeepers should not attempt to reconstruct their time days after  
26 the services were rendered.

1 5. The minimum time increment will not be greater than one-tenth of  
2 an hour. See Welch v. Metropolitan Life Ins. Co., 480 F.3d 942, 949  
3 (9th Cir. 2007).

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5 6. “Block-billing,” i.e, a line item with a single time charge for  
6 multiple activities is inappropriate. See id. at 948.

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8 7. Time charged for intra or inter-office conferences,  
9 correspondence, e-mails, etc. should be kept to a minimum.

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11 8. If more than one timekeeper charges for attending hearings,  
12 depositions, etc., the Court will ultimately require an explanation of  
13 why the second appearance was appropriate. (If counsel believe non-  
14 chargeable attendance by others is desirable in order for young  
15 lawyers or para-professionals to gain training or experience, and such  
16 time is normally recorded by the firm, the billing records should  
17 indicate that the time is not being charged.)

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19 9. If counsel raises hourly rates during the course of the  
20 representation, the fee request shall be based on historic hourly rates.  
21 Alternatively, counsel must provide a calculation of the amount  
22 requested based on hourly rates at the time the fee request is made  
23 and based on a reasonable interest rate to account for the delay in  
24 payment.

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26 10. Expenses and costs must be listed by reasonably narrow and  
27 specific category, preferably the applicable categories described in  
28

1 the UTBMS. Only expenses and costs normally billed to a client and  
2 otherwise permitted by statute or case law will be awarded. Only  
3 actual costs, without markup, will be permitted. Counsel should not  
4 seek reimbursement for items generally regarded as overhead. If a  
5 law firm maintains a flat-rate contract with an electronic legal  
6 database (e.g., Westlaw or Lexis), reimbursement is ordinarily  
7 inappropriate, unless the database was reasonably utilized for activity  
8 outside of the firm's flat-rate contract.

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10 11. Reimbursement should not be sought for first class airfare, or  
11 meals and accommodations in amounts higher than a reasonable  
12 client would permit. Counsel shall exercise good judgment in  
13 selecting reasonably-priced transportation, accommodations, and  
14 meals.

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16 If there is a contested motion for attorneys' fees in the future, the Court will  
17 issue a further order establishing the required format for such motion.

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19 IT IS SO ORDERED.

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22 Dated: \_\_\_\_\_

\_\_\_\_\_

Dale S. Fischer  
United States District Judge