

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:13-CV-00949**

**DAVID HARRIS; CHRISTINE
BOWSER; and SAMUEL LOVE,**

Plaintiffs,

v.

**PATRICK MCCRORY, in his capacity
as Governor of North Carolina; NORTH
CAROLINA STATE BOARD OF
ELECTIONS; and JOSHUA HOWARD,
in his capacity as Chairman of the North
Carolina State Board of Elections,**

Defendants.

**DECLARATION OF EDWIN M.
SPEAS IN SUPPORT OF
PLAINTIFFS' FEE PETITION**

I, Edwin M. Speas, being duly sworn according to law, upon my oath, declare and say as follows:

1. I am a partner with the law firm of Poyner Spruill LLP (“Poyner Spruill”) and one of the attorneys representing the plaintiffs in this case. I am over the age of 21 years and competent to testify herein. I have personal knowledge of the matters stated herein and would so testify if called to do so.

2. Since graduating from Wake Forest University School of Law in 1971, I have been engaged in the practice of law representing both plaintiffs and defendants in litigation in a range of matters. Over the course of my career I have served as North Carolina’s Chief Deputy Attorney General, head of the Attorney General’s special litigation unit and general counsel for Governor Beverly Perdue. I have substantial experience in redistricting litigation. While a member of the Attorney General’s staff, I

participated in representing the State of North Carolina in *Shaw v. Reno*, 509 U.S. 630 (1993); *Shaw v. Hunt*, 517 U.S. 899 (1996); *Hunt v. Cromartie*, 526 U.S. 541 (1999); *Easley v. Cromartie*, 532 U.S. 231 (2001); and *Stephenson v. Bartlett*, 355 N.C. 354, 562 S.E.2d 377 (2002). Since joining Poyner Spruill, I have participated in representing the plaintiffs in *Dickson v Rucho*, 367 N.C. 542, 766 S.E.2d 238 (2014); *Covington v. North Carolina*, No. 1:15-CV-00399 (MDNC); and this matter.

3. Caroline Mackie and John O'Hale are associates at Poyner Spruill and have also represented the plaintiffs in this matter. Litigation has been the focus of Ms. Mackie's work at Poyner Spruill since graduating from Wake Forest University School of Law in 2010. She has been named a Super Lawyers Rising Star in North Carolina (2015) and a Business North Carolina Legal Elite Young Gun (2015). Litigation has also been the focus of Mr. O'Hale's work at Poyner Spruill since graduating from the University of Virginia School of Law in 2006. He was Articles Editor for the *Virginia Law and Business Journal* in 2005-06.

4. Ms. Mackie, Mr. O'Hale and I recorded our time in this matter contemporaneously. The billing records provided in support of this motion accurately reflect the time that we devoted to this matter. Although Poyner counsel sought to, and did, efficiently try this complex lawsuit, billing judgment was exercised and time entries eliminated that were arguably redundant or not essential to the litigation.

5. The regular and customary hourly rates for Poyner attorneys, consistent with prevailing market rate of individuals with their skills and levels of experience, are as follows: My hourly rate is \$500, and Ms. Mackie and Mr. O'Hale's hourly rate is \$300.

6. Plaintiffs' fee request seek compensation for Poyner paralegals Stacey Herring and Joanne King at \$205 and \$230 an hour, respectively. These rates are consistent with our firm's normal billing rates and the market for comparable positions. The time Ms. King and Ms. Herring spent on this case (which primarily related to

assistance in pretrial and trial preparations and support) had a legitimate purpose and involved tasks that would otherwise have been done by Plaintiffs' attorneys.

7. Our administrative expenses (which encompass photocopying, postage, facsimile, and other similar expenses typically charged to clients) are calculated based on hours billed: \$10.25 per billed hour.

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

EXECUTED at Raleigh, North Carolina, on April 5, 2016.



EDWIN M. SPEAS