

Prince Charming
Whistle, Wyle & Work LLP
1001 True Love Way
Suite 100
Enchanted Forest, Magic Kingdom 55555
555-555-5555 Telephone
555-555-5555 Fax

UNITED STATES DISTRICT COURT
DISTRICT OF MAGIC KINGDOM

UNITED STATES OF AMERICA,)	No. CR 07-555-KD
)	
Plaintiff,)	
)	
vs.)	EX PARTE APPLICATION FOR
)	APPROVAL OF FUNDS FOR THE
)	SERVICES OF A PARALEGAL;
)	DECLARATION OF PRINCE CHARMING;
SNOW WHITE, et al.)	MEMORANDUM OF POINTS AND
)	AUTHORITIES
Defendants)	
)	
)	
)	
_____)	

Defendant, SNOW WHITE, by and through her court-appointed attorney, PRINCE CHARMING, hereby requests that the court authorize counsel to obtain the services of a paralegal, Humbert the Huntsman, to assist in the pretrial preparation of this case, pursuant to the Criminal Justice Act 18 USC 3006A(e)(1).

DATED: March 17, 2010

Respectfully Submitted,

PRINCE CHARMING
Attorney for Defendant
SNOW WHITE

DECLARATION OF PRINCE CHARMING

I, PRINCE CHARMING, declare that:

1. I am an attorney at law duly authorized to practice in the Courts of the State of Magic Kingdom and am admitted to practice before the United States District Court for the District of Magic Kingdom.

2. I was appointed by the court to represent the defendant, Snow White, under the Criminal Justice Act and am fully familiar with the facts and circumstances of this case and the contents of the files and records before this court.

3. Defendant, Snow White, has been found by the court to qualify for indigent representation. To the best of my knowledge, Snow White's financial condition has not changed since the date counsel was appointed.

4. Trial is set for October 1, 2010. Trial preparation in this case will be time-intensive and demanding. The case has been declared "complex" for Speedy Trial purposes, and at a pretrial status conference the court granted the parties' request to continue the trial date by six months due in part to the size of the case. This case involves allegations that the defendant is involved in a complex investment fraud characterized by the government as a "prime bank fraud scheme." The government's case-in-chief will be document-intensive and will include expert testimony through an official of the Federal Reserve Bank who will describe the characteristics of this type of fraud scheme and render an opinion that the facts of this case fall within that framework. This case is being prosecuted by the U.S. Attorney's office in the District of Magic Kingdom.

5. The pretrial discovery in the case is voluminous. Besides the more than 10,000 pages (on 8 CD Roms) of discovery provided to counsel, the government has made available to counsel over 400 banker boxes of discovery (more than 100,000 pages of documents) that is warehoused at the Enchanted Forest office of the Secret Service, the agency in charge of the investigation. While I have already studied several thousand pages of discovery and studied the case intensively, the size of this case far exceeds my capacity as a single attorney. It is necessary to spend days at a time going through the boxes of documents at the government's warehouse,

which will take many hours to identify, copy, and organize potential defense exhibits for trial. In addition, based on my prior experience, I expect to receive more discovery as the trial date approaches.

6. Since the amount of discovery is voluminous and the case is complex, assistance of a paralegal is necessary for the defense to provide efficient and competent legal representation of the client.

7. I estimate that the services of a paralegal are needed for the following tasks:

a. Review the 10,000 plus pages of discovery provided to counsel on 8 CD Roms. Since the government has not provided a document index of these materials, the paralegal will create a document index of these materials.

i. Time estimate for 7a = 80 hours.

b. Travel with the client, who is on bond, to the warehouse facility and review the contents of the more than 400 banker boxes of discovery.

i. Time estimate for 7b = 5 hours.

c. Prepare a general index of the 400 plus boxes in the warehouse to assist counsel in determining which boxes we should spend additional time reviewing. This will realize a cost savings as the paralegal's hourly rate is much less than mine, and will increase efficiency in the process of trial preparation.

i. Time estimate for 7c = 80 hours.

d. During their time at the warehouse, the paralegal will review the documents with the client, and select additional documents to have copied by the government to use as potential exhibits or documents that counsel needs to review in more detail.

i. Time estimate for 7d = 15 hours.

e. The paralegal will also be essential in meeting with the client, not only during the document review process at the warehouse, but for general trial preparation purposes.

i. Time estimate for 7e = 10 hours.

- f. Identifying potential defense exhibits for use at trial. Specifically the paralegal will be reviewing all of the documents to distinguish the investment plan in this case from the prime bank fraud scheme model allegation that the government intends to introduce at trial.

i. Time estimate for 7f = 20 hours

1. (NOTE: This process will be ongoing with other tasks as well, but 20 hours will be spent specifically preparing potential defense exhibits for cross-examination and defense witnesses).

- g. Assist me in identifying potential 3rd parties who may have relevant documents to show the investment plan. The paralegal will assist counsel in obtaining those documents, create a log and assist in ensuring proper chain of custody so that they can be use as exhibits.

i. Time estimate for 7g = 20 hours.

- h. Create a chronology of events, laying out the government's allegations. This will be useful in my trial preparation and to review with the client. This process will be essential for my determination of areas of further investigation.

i. Time estimate for 7h = 20 hours.

8. As can be seen by the above, there is considerable preparation involved with preparing for trial. At this juncture, based on the discovery and information on hand, I am requesting 250 hours of paralegal time to complete the tasks listed above.

9. While I have worked diligently on this case to date, I have other court-appointed obligations during this year, thus making an additional reason why it is necessary to seek the assistance of a paralegal in order to be properly prepared for trial in October.

10. I also note that if Snow White had the independent financial means to retain me, I would hire a paralegal to assist me. I would do this because of the cost-savings it would provide as well as allowing me to be more effective in my representation of Snow White.

11. In my opinion, the assistance of a paralegal is essential to provide the defendant, Snow White, with the effective assistance of counsel, due to the size and complexity of this case. I believe that the use of a paralegal in a complex case such as this is a responsible decision. In addition to greatly facilitating trial preparation and ensuring effective assistance of counsel for the defendant, the paralegal's services will be cost effective by allowing services to be performed at a lower hourly rate than that charged by court-appointed counsel (\$125 an hour vs. \$55 an hour). The volume of material is far too great for counsel alone to review the materials, and it will be less expensive if a paralegal assists counsel in this process. Counsel will supervise the paralegal's work to ensure that work is done correctly and done in a cost-effective manner.

12. For the Court's convenience, the following is a summary of each item requested and the cost budgeted for that item.

	Activity	Hours
7a.	Review 10,000 plus pages of discovery & prepare document index	80
7b.	Travel with the client to the warehouse facility	5
7c.	Prepare a general index of the 400 plus boxes in the warehouse	80
7d.	Select warehouse documents for further review by counsel	15
7e.	Paralegal meetings with the client	10
7f.	Identify potential defense exhibits for use at trial	20
7g.	Obtain, manage and organize relevant 3 rd party documents	20
7f.	Prepare a chronology of events and other relevant memorandum	20
	Total Paralegal Hours	250
	at \$55 an hour	\$13,750

13. Therefore, for the reasons discussed above, I request that the Court authorize me to obtain the services of a paralegal for pre-trial preparation. I respectfully request authorization for the services of a paralegal in an amount not to exceed 250 hours of service to be billed at a rate of \$55.00 per hour, for a total authorization of \$13,750.

14. I specifically request the appointment of HUMBERT THE HUNTSMAN as the paralegal in this case. Mr. Huntsman has experience in federal criminal litigation and is knowledgeable in the fundamentals of federal criminal procedure, as well as the Local Rules and general practices of the courts here in the District. He has worked by court appointment as a paralegal on several CJA cases, including complex white collar matters, and he understands the professional responsibilities that CJA attorneys are required to fulfill, both to their clients and to the court. Mr. Huntsman has an expertise with various litigation support computer programs. This expertise constitutes a special skill and allows for a higher hourly rate. Specifically, Mr. Huntsman's expertise and experience with various litigation support software programs will allow us to be able to determine the most effective tools and workflow processes necessary to prepare this case, and his expertise will result in less overall costs than employing a paralegal who does not possess this skill set. He is an efficient and responsible worker and, if approved by this court, he will be a great asset to me in preparing the defense of this case. Accordingly, the proposed order specifically references Mr. Huntsman by name as the appointed paralegal.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on March 17, 2010 at Enchanted Forest, Magic Kingdom.

PRINCE CHARMING

MEMORANDUM OF POINTS AND AUTHORITIES

The Criminal Justice Act, 18 U.S.C. 3006A, authorizes the appointment of professionals to assist court-appointed counsel, pursuant to subsection (e)(1), which provides in pertinent part as follows:

“(e) Services other than counsel.--

(1) Upon request.--Counsel for a person who is financially unable to obtain investigative, expert, or other services necessary for adequate representation may request them in an ex parte application. Upon finding, after appropriate inquiry in an ex parte proceeding, that the services are necessary and that the person is financially unable to obtain them, the court, or the United States magistrate if the services are required in connection with a matter over which he has jurisdiction, shall authorize counsel to obtain the services.”

On the basis of this statutory provision, district court judges in the District have authorized the appointment of a paralegal in cases where such an appointment has been warranted. Defendant SNOW WHITE respectfully submits that the size and complexity of this case, together with the time constraints of counsel’s schedule, warrant the appointment of a paralegal in order to ensure proper pretrial preparation.

PRINCE CHARMING
Attorney for Defendant
SNOW WHITE

UNITED STATES OF AMERICA,)	No. CR 07-555-KD
)	
Plaintiff,)	
)	(PROPOSED)
)	ORDER AUTHORIZING FUNDS UNDER
vs.)	CRIMINAL JUSTICE ACT FOR
)	APPOINTMENT OF PARALEGAL
)	
SNOW WHITE, et al.)	[18 U.S.C. 3006A(e)(1)]
)	
Defendants)	
)	
)	
)	

IT IS HEREBY ORDERED that Humbert the Huntsman is authorized to provide
paralegal services in connection with the defense of defendant Snow White.

DATED: March ____, 2010

Submitted By:

PRINCE CHARMING
Counsel for Defendant,
SNOW WHITE