

AFFIDAVIT OF ROBERT L. GRAHAM
IN SUPPORT OF PETITION
FOR ATTORNEYS' FEES

72-117-48

Robert L. Graham, being duly sworn on oath, states:

1. I am an attorney duly authorized to practice law in the State of Illinois, the State of California, the United States District Court for the Northern District of Illinois, the United States Court of Appeals for the Seventh Circuit, the United States Court of Appeals for the District of Columbia, and the United States Supreme Court.

2. For many years a substantial portion of my law practice has involved representation of both plaintiffs and defendants in complex actions in federal courts and before federal agencies, in which, by statute or otherwise, provision is made for the payment of attorneys' fees to counsel for prevailing plaintiffs. These cases have involved, inter alia, antitrust cases, securities cases, civil rights cases, agency licensing proceedings, and class actions of other kinds.

3. As a result of the foregoing, I have had occasion to become familiar with the customary hourly rates charged by attorneys in the City of Chicago for their services in all types of litigation, including administrative agency and related proceedings. In order to update my knowledge in this regard for the specific purpose of preparing this affidavit, I have examined the current hourly schedule

of charges in use by the Chicago law firm of Jenner & Block, where I am a partner. I have also familiarized myself with the background, experience, skill and reputation of Robert J. Vollen and Jane M. Whicher, counsel for BPI and the other groups and organizations commonly referred to as Porter County Chapter Intervenors in these proceedings.

4. Based upon my knowledge of the reasonable and customary charges in effect among lawyers in the City of Chicago of like experience, skill and reputation in litigation, including proceedings before administrative agencies, it is my opinion that the reasonable and appropriate hourly rate for the services of plaintiffs' attorneys in this case is as follows:

Robert J. Vollen	-	\$145/per hour
Jane M. Whicher	-	\$85/per hour

5. The charges set forth above are for services of lawyers of the skill, experience and reputation of Mr. Vollen and Ms. Whicher in matters in which fees are charged to and paid by clients on an ongoing basis, without regard to the outcome of the litigation. In litigation such as that involved in this case, it is the prevailing practice in the federal courts to award fees to the prevailing attorneys by applying a multiplier to the above fee schedule, in order to take into account and compensate the attorneys for the significance of their contributions to the litigation. The amount of that multiplier is determined, among other things, by the

efficiency with which the litigation was conducted, the difficulty of the litigation, the particular skill and innovation brought to the litigation by the attorneys involved, and benefits conferred, whether monetary or otherwise.

Robert L. Graham
Robert L. Graham

SUBSCRIBED AND SWORN to
before me this 3rd day
of June, 1982.

Kathleen M. Lack
Notary Public

AFFIDAVIT OF ROBERT L. GRAHAM
IN SUPPORT OF PETITION
FOR ATTORNEYS' FEES

82-12-1 0048

Robert L. Graham, being duly sworn on oath, states:

1. I am an attorney duly authorized to practice law in the State of Illinois, the State of California, the United States District Court for the Northern District of Illinois, the United States Court of Appeals for the Seventh Circuit, the United States Court of Appeals for the District of Columbia, and the United States Supreme Court.

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Robert L. Graham
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Kathleen M. Lach
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