

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

CARROLL BOSTON CORRELL, JR., on behalf of  
himself and others similarly situated,

Plaintiff,

v.

MARK R. HERRING, in his official capacity as  
Attorney General of the Commonwealth of  
Virginia, et al.,

Defendants.

Civil No. 3:16-cv-00467-REP

**DECLARATION OF CHARLES J. COOPER**

I, Charles J. Cooper, declare as follows:

1. I am a founding member and chairman of Cooper & Kirk, PLLC, a trial and appellate litigation firm based in Washington, DC. I have over thirty-five years of legal experience in government and private practice, including extensive experience in constitutional and civil rights litigation.

2. I have personal knowledge of the facts stated in this Declaration, I am competent to testify as to these facts, and I would do so if called. To my knowledge, all of the facts stated in this Declaration are true and correct.

3. I was asked by Plaintiff's counsel to provide information regarding my knowledge of the market rates for Washington, DC-based attorneys with practices similar to Plaintiff's counsel when they practice in the area covered by the Richmond Division. My practice in constitutional and civil rights litigation has often taken me to state and federal courts in Virginia, including courts in Richmond.

4. For example, I am currently representing the petitioners in *Howell v. McAuliffe*, Record No. 160784, before the Virginia Supreme Court. Petitioners are challenging the constitutionality of Governor McAuliffe's executive order providing blanket restoration of felon voting rights.

5. I also represent the plaintiffs in *Virginia Uranium, Inc. v. Warren*, 147 F. Supp. 3d 462 (W.D. Va. 2015). My clients challenged the constitutionality of Virginia's ban on uranium mining. I am currently representing my clients in their appeal before the Fourth Circuit, *Virginia Uranium, Inc. v. Warren*, No. 16-1005, which is based in Richmond. I also represent these same

clients in a parallel taking case against Virginia officials in Wise County Circuit Court. *Virginia Uranium, Inc., et al. v. Commonwealth of Virginia, et. al.*, No. CL15-623 (Va. Cir. Ct. filed Nov. 25, 2015).

6. In 2015, I represented amicus Republican Governors Public Policy Committee in *United States v. McDonnell*, 792 F.3d 487 (4th Cir. 2015), a case originating in the Eastern District of Virginia, Richmond Division. My client argued that the government's interpretation of federal wire-fraud and extortion statutes violated the Due Process Clause and principles of federalism.

7. I am familiar with the rates charged by other attorneys specializing in civil rights and constitutional litigation who litigate similar matters in Richmond, and who have similar education, background, and experience as Plaintiff's counsel.

8. David B. Rivkin, Jr. graduated from the Columbia University School of Law in 1985 and has 31 years of legal experience in constitutional law and litigation, including in the White House Counsel's Office and the Department of Justice. Mr. Rivkin has served as lead counsel in significant constitutional litigation matters before, such as *Lebron v. Rumsfeld*, 670 F.3d 540 (4th Cir. 2012), and *Florida ex rel. Bondi v. United States Department of Health and Human Services*, 780 F. Supp. 2d 1256 (N.D. Fla. 2011).

9. An hourly rate of \$625 to \$700 per hour is well within the range of reasonable rates charged by attorneys with similar education, background, and experience to Mr. Rivkin in the Richmond area in civil rights and constitutional litigation.

10. Mark W. DeLaquil graduated *cum laude* from Harvard Law School in 2004 and has 12 years of constitutional litigation experience, including litigation involving the Section 1983 Civil Rights Action and the First Amendment. He is rated AV Preeminent by Martindale-Hubbell.

11. An hourly rate of \$525 to \$575 per hour is well within the range of reasonable rates charged by attorneys with similar education, background, and experience to Mr. DeLaquil in the Richmond area in civil rights and constitutional litigation.

12. Andrew M. Grossman graduated *magna cum laude* from George Mason University School of Law in 2007. He has nine years of experience in constitutional litigation, including numerous cases involving the Section 1983 Civil Rights Action and the First Amendment.

13. An hourly rate of \$500 to \$550 per hour is well within the range of reasonable rates charged by attorneys with similar education, background, and experience to Mr. Grossman in the Richmond area in civil rights and constitutional litigation.

14. Richard B. Raile graduated *magna cum laude* from University of Minnesota School of Law in 2012 and has 4 years of litigation experience, including litigation involving the Section 1983 Civil Rights Action and the First Amendment.

15. An hourly rate of \$400 to \$450 per hour is well within the range of reasonable rates charged by attorneys with similar education, background, and experience to Mr. Raile in the Richmond area in civil rights and constitutional litigation.

16. Joseph T. Nawrocki graduated from Yale Law School in 2015 where he served on the *Yale Law Journal*. He has one year of litigation experience.

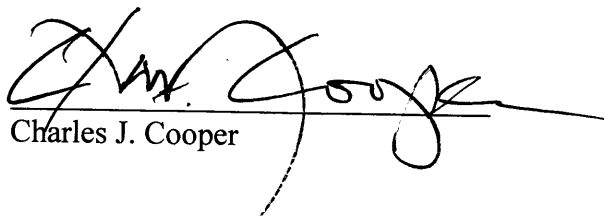
17. An hourly rate of \$300 to \$350 per hour is well within the range of reasonable rates charged by attorneys with similar education, background, and experience to Mr. Nawrocki in the Richmond area in civil rights and constitutional litigation.

18. Asef "Ricky" Dyer is a paraprofessional and presentation specialist with fourteen years of experience in trial litigation management and support.

19. An hourly rate of \$150 to \$175 per hour is well within the range of reasonable rates charged by paraprofessionals with similar background and experience to Mr. Dyer in the Richmond area in civil rights and constitutional litigation.

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

Executed on July 22, 2016.

  
Charles J. Cooper