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FILED
Court Administrator

STATE OF MINNESOTA
COUNTY OF RAMSEY

APR 28 2009
By Deputy

DISTRICT COURT
SECOND JUDICIAL DISTRICT

In the Matter of the Contest of General Election held on November 4, 2008, for the purpose of electing a United States Senator for the State of Minnesota

Court File No: 62-CV-09-56
Honorable Elizabeth A. Hayden
Honorable Kurt J. Marben
Honorable Denise D. Reilly

Cullen Sheehan and Norm Coleman,

Contestants,

**CONTESTEE'S BILL OF COSTS
AND DISBURSEMENTS**

v.

Al Franken,

Contestee.

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

David L. Lillehaug, being duly sworn, on oath says that he is one of the attorneys for Contestee Al Franken ("Contestee") in the above entitled action and certifies that he has investigated the costs and disbursements claimed herein, and that the following is a true statement of the taxable costs and disbursements incurred by Contestee; and that each and every item thereof has actually and necessarily been paid or incurred in this action. Documents supporting each of Contestees' costs and disbursements are attached.

DESCRIPTION	Amt. Claimed	Amt. Allowed
Statutory Costs (Minn. Stat. § 549.02, subd. 1)	\$205.50	\$
Court Filing Fees (Minn. Stat. § 357.021) (TAB A)	\$1,130.00	\$
<i>Contest Filing Fee</i>\$ 250.00		
<i>Motion to Set a Pretrial Schedule/Expedited Discovery</i>\$ 55.00		
<i>Motion to Dismiss</i>\$ 55.00		
<i>Opposition to Motion for Order Directing Counties and Municipalities to Deliver Original Rejected Absentee Ballots to the Court</i>\$ 55.00		
<i>Motion to Strike Unsupported Claims, Points and Authorities</i>\$ 55.00		
<i>Motion for Partial Summary Judgment on Certain of Contestants' Claims</i>\$ 55.00		
<i>Motion for Partial Summary Judgment on Certain of Contestee's Counterclaims</i>\$ 55.00		
<i>Opposition to Motion for Order Directing Secretary of State to Deposit Original Documents With the Court</i>\$ 55.00		
<i>Opposition to Contestants' Motion for Summary Judgment</i>\$ 55.00		
<i>Motion in Limine to Limit Absentee-Ballot Evidence to Ballots Plead in the Notice of Contest</i>\$ 55.00		
<i>Opposition to Contestants' Motion in Limine to Exclude Evidence of Each Campaign's Prior Position Regarding When and How Rejected Ballots Should be Reviewed</i>\$ 55.00		
<i>Motion in Limine to Exclude Testimony of King Banian</i>\$ 55.00		
<i>Motion to Amend Answer and Counterclaim</i>\$ 55.00		
<i>Motion in Limine to Exclude County Data Practices Act "Certifications"</i>\$ 55.00		
<i>Opposition to motion by City of Duluth to Quash Subpoena of Jeffrey Cox</i>\$ 55.00		
<i>Opposition to Contestants' Motion for an Order Declaring Recount Rule 9 Invalid as a Matter of Law</i>\$ 55.00		
<i>Motion for Involuntary Dismissal After the Close of Contestants' Case</i>\$ 55.00		

DESCRIPTION	Amt. Claimed	Amt. Allowed
Deposition Transcripts of Testifying Witnesses (TAB B) (Minn. Stat. § 357.31) <i>Deposition of Kevin Boyle taken on 01/23/09.....</i> \$ 1,668.30 <i>Deposition of Kevin Corbid taken on 01/23/09</i> \$ 1,532.45 <i>Deposition of Joe Mansky taken on 01/15/09</i> \$ 905.25 <i>Deposition of Lori Johnson taken on 01/21/09.....</i> \$ 806.55 <i>Deposition of Cindy Reichert taken on 01/19/09.....</i> \$ 2,402.75	\$ 7,315.30	\$
Written Deposition Transcripts Entered Into Evidence (TAB C) (Minn. Stat. § 357.31) <i>Deposition of D. Maedu taken on 01/21/09 (F1926).....</i> \$ 200.30 <i>Deposition of L. Ihrke taken on 01/21/09 (F1945)</i> \$ 197.80 <i>Deposition of S. Engdahl taken on 01/21/09 (F1838)</i> \$ 209.90 <i>Deposition of N. Stroth taken on 01/21/09 (F2076)</i> \$ 204.50	\$ 812.50	
Deposition Transcripts Entered Into Evidence (TAB D) (Minn. Stat. § 357.31) <i>Deposition of Donald Burger (Incl. Depo. Ex. F5008)</i> \$ 299.60 <i>Deposition of Elizabeth Davies (Incl. Depo. Ex. F5012)</i> \$ 467.55 <i>Deposition of Michael Finney (Incl. Depo. Ex. F5017)</i> \$ 380.40 <i>Deposition of John Kryst (Incl. Depo. Ex. F5011)</i> \$ 439.00 <i>Deposition of Jack Larsen (Incl. Depo. Ex. F5005)</i> \$ 136.20 <i>Deposition of Leah Litman (Incl. Depo. Ex. F5004)</i> \$ 342.05 <i>Deposition of Carmen Mancino (Incl. Depo. Ex. F5016).....</i> \$ 457.90 <i>Deposition of Christine Paulu (Incl. Depo. Ex. F5010)</i> \$ 258.15 <i>Deposition of Marie Putnam (Incl. Depo. Ex. F5003)</i> \$ 144.95 <i>Deposition of Michael Ritchie (Incl. Depo. Ex. F5000)</i> \$ 274.90	\$ 3,200.70	
Trial Transcripts (Abraham v. County of Hennepin, 622 N.W.2d 121, 129 (Minn. Ct. App. 2001) (TAB E) <i>James M. Trapskin & Associates</i> \$ 27,403.80 <i>Linda Renner.....</i> \$ 7,978.75	\$35,382.55	\$
Trial Exhibits (Minn. Stat. §§357.31 and 357.315) (TAB F) <i>Death Certificate (Trial Ex. F3007)</i> \$ 13.00	\$26,576.38	\$

DESCRIPTION	Amt. Claimed	Amt. Allowed
<i>Merrill (Copying/notebooks/tabs).....</i>	\$ 7,582.63	
<i>Xact Data Discovery (Copying/notebooks/tabs).....</i>	\$ 17,291.92	
<i>Skyline Document Services (26 Blow-ups/copying).....</i>	\$ 1,688.83	
Data Practice Requests/Subpoenas (Minn. Stat. § 357.31) (TAB G)	\$59,078.89	
<i>Anoka County.....</i>	\$ 62.80	
<i>Becker County.....</i>	\$ 2,687.99	
<i>Beltrami County.....</i>	\$ 1,864.22	
<i>Bloomington, City of.....</i>	\$ 311.10	
<i>Blue Earth County.....</i>	\$ 12,608.00	
<i>Brooklyn Center, City of.....</i>	\$ 96.00	
<i>Brown County.....</i>	\$ 50.00	
<i>Carver County.....</i>	\$ 236.00	
<i>Cass County.....</i>	\$ 43.50	
<i>Chisago County.....</i>	\$ 7.50	
<i>Clay County.....</i>	\$ 95.70	
<i>Corcoran, City of.....</i>	\$ 976.25	
<i>Dakota County.....</i>	\$ 1,920.75	
<i>Douglas County.....</i>	\$ 30.00	
<i>Eagan, City of.....</i>	\$ 49.75	
<i>Golden Valley, City of.....</i>	\$ 7.63	
<i>Grant County.....</i>	\$ 143.50	
<i>Hennepin County.....</i>	\$ 5,556.50	
<i>Hubbard County.....</i>	\$ 157.37	
<i>McLeod County.....</i>	\$ 37.00	
<i>Minneapolis, City of.....</i>	\$ 1,822.25	
<i>Minnetrista, City of.....</i>	\$ 7.00	
<i>Mower County.....</i>	\$ 696.32	
<i>Nobles County.....</i>	\$ 4,315.80	
<i>Olmsted County.....</i>	\$ 565.00	
<i>Plymouth, City of.....</i>	\$ 297.35	
<i>Pope County.....</i>	\$ 35.00	

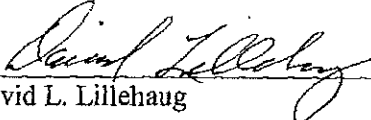
DESCRIPTION	Amt. Claimed	Amt. Allowed
<i>Ramsey County (further detail request pending)</i> \$ 14,450.93 <i>Rice County.....</i> \$ 904.18 <i>Robbinsdale, City of.....</i> \$ 11.50 <i>Scott County.....</i> \$ 1,238.36 <i>Sherburne County</i> \$ 443.25 <i>St. Louis County.....</i> \$ 579.60 <i>St. Louis Park, City of.....</i> \$ 122.25 <i>Steele County</i> \$ 60.00 <i>Wabasha County.....</i> \$ 20.17 <i>MN Secretary of State CD's with Recount Data/Copying</i> \$ 588.24 <i>Skyline Document Services (imaging of DP documents)</i> \$2,795.95 <i>Miscellaneous Data Practice Requests Paid by Check</i> \$1,631.98 <i>Data Practice Documents Produced by Dorsey & Whitney.,</i> \$1,552.20		
Trial Technology & Equipment (Minn. Stat. § 549.04) (TAB H) <i>Rental of projector for Presentation of Exhibits.....</i> \$1,161.15 <i>Rental of copier for preparation of exhibit notebooks.....</i> \$ 4,671.11 <i>Small printer, cable & equipment for preparation of exhibits in courtroom</i> \$ 198.97	\$ 6,031.23	\$
Photocopying & Service of Trial Motions (TAB I) (Minn. Stat. § 549.04) <i>Motion to Set a Pretrial Schedule/Expedited Discovery (01/09/09).....</i> \$ 67.06 Photocopying \$ 45.80 Courier for Filing With The Court..... <i>\$ 21.26</i> <i>Motion to Dismiss (01/12/09)</i> \$ 198.58 Photocopying \$174.20 Courier for Filing With The Court..... <i>\$ 24.38</i> <i>Contestee's Reply in Support of Motion to Establish Pretrial Scheduling Order, Opposition to Contestants' Proposed Schedule, and Urgent Request for Entry of Scheduling Order (01/15/09)</i> \$ 39.40 Photocopying \$ 5.40 Courier for Filing With The Court \$ 34.00	\$ 2,152.51	

DESCRIPTION	Amt. Claimed	Amt. Allowed
<i>Contestee Al Franken's Response to Contestants' Proposed "Senate Election Contest Rules" (01/16/09)</i>\$ 55.60		
Photocopying\$ 21.60		
Courier for Filing With The Court\$ 34.00		
<i>Opposition to Motion for Order Directing Counties and Municipalities to Deliver Original Rejected Absentee Ballots to the Court & Contestees Reply in Support of Motion to Dismiss (01/20/09)</i>\$ 88.00		
Photocopying\$88.00		
<i>Motion to Strike Unsupported Claims, Points and Authorities (01/21/09)</i>\$ 214.15		
<i>Motion for Partial Summary Judgment on Certain of Contestants' Claims (01/21/09)</i>		
<i>Motion for Partial Summary Judgment on Certain of Contestee's Counterclaims (01/21/09)</i>		
<i>Opposition to Motion for Order Directing Secretary of State to Deposit Original Documents With the Court (01/21/09)</i>		
Photocopying\$ 171.20		
Courier for Filing With The Court\$ 34.00		
Service & Delivery to J. Langdon\$ 8.95		
<i>Opposition to Contestants' Motion for Summary Judgment (01/22/09)</i>\$ 255.30		
Photocopying\$ 191.80		
Courier for Filing With The Court\$ 63.50		
<i>Motion in Limine to Limit Absentee-Ballot Evidence to Ballots Pleaded in the Notice of Contest (01/26/09)</i>\$ 210.67		
Photocopying\$ 138.20		
Courier for Filing With The Court.....\$ 72.47		
<i>Opposition to Contestants' Motion in Limine to Exclude Evidence of Each Campaign's Prior Position Regarding When and How Rejected Ballots Should be Reviewed (01/29/09)</i>\$ 103.67		
<i>Motion in Limine to Exclude Testimony of King Bantian (01/29/09)</i> Photocopying\$ 47.00		

DESCRIPTION	Amt. Claimed	Amt. Allowed
Courier for Filing With The Court\$ 56.67		
<i>Contestee's Interim (Week One) Proposed Findings of Fact and Conclusions of Law (02/02/09)</i>\$ 70.21		
Photocopying\$ 31.80		
Courier for Filing With The Court\$ 38.41		
<i>Motion to Amend Answer and Counterclaim (02/04/09)</i>\$ 50.14		
Photocopying\$ 7.20		
Courier for Filing With The Court\$ 42.94		
<i>Contestee's Interim (Week Two) Proposed Findings of Fact and Conclusions of Law (02/09/09)</i>\$ 128.75		
Photocopying\$ 90.20		
Courier for Filing With The Court\$ 38.55		
<i>Contestee's Reply Memorandum in Support of his Motion in Limine to Exclude Testimony of King Banain (02/11/09)</i>\$ 160.27		
Photocopying\$ 95.80		
Courier for Filing With The Court\$ 64.47		
<i>Contestee's Interim (Week Three) Proposed Findings of Fact and Conclusions of Law (02/16/09)</i>\$ 123.77		
Photocopying\$ 84.80		
Courier for Filing With The Court\$ 38.97		
<i>Contestee's Memorandum of Law Regarding Form and Level of Specificity Required in an Offer of Proof (02/20/09)</i>\$ 43.80		
Photocopying\$ 0.80		
Courier for Filing With The Court\$ 43.00		
<i>Contestee's Interim (Week Four) Proposed Findings of Fact and Conclusions of Law (02/23/09)</i>\$49.27		
Photocopying\$ 0.20		
Courier for Filing With The Court\$ 49.07		
<i>Contestee's Interim (Weeks 1-5) Proposed Findings of Fact and Conclusions of Law (03/02/09)</i>\$ 293.87		
Photocopying\$ 272.20		
Courier for Filing With The Court\$ 21.67		
Trial Subpoenas & Witness Fees (TAB J)	\$19,625.07	\$

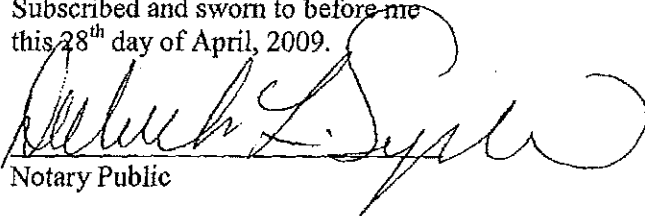
DESCRIPTION	Amt. Claimed	Amt. Allowed
(Minn. Stat. §§ 357.22 and 549.04)		
Service of 380 trial subpoenas & witness fees..... \$ 19,525.51		
Total Costs and Disbursements	\$ 161,510.63	\$

Dated: April 28, 2009



 David L. Lillehaug

Subscribed and sworn to before me
 this 28th day of April, 2009.



 Notary Public

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