

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Civil No: 1:22-CV-00031

Charles Walen, an individual; and Paul
Henderson, an individual,)
)
)
Plaintiffs)

vs.)

Doug Burgum, in his official capacity as)
Governor of the State of North Dakota;)
Michael Howe, in his official capacity as)
Secretary of the State of North Dakota,)
)
Defendants)

**VERIFIED STATEMENT OF COSTS
AND DISBURSEMENTS AND
AFFIDAVIT OF DAVID R. PHILLIPS**

and)

The Mandan, Hidatsa and Arikara Nation;)
Lisa DeVille, an individual; and)
Cesareo Alvarez, Jr., an individual.)
)
Defendants-Intervenors)

Pursuant to Rule 54.1 of the Local Rules of the United States District Court for the District of North Dakota, Defendants Doug Burgum, in his official capacity as Governor of the State of North Dakota, and Michael Howe, in his official capacity as Secretary of the State of North Dakota submit the following list of costs and disbursements:

A. Costs incurred and allowable pursuant to 28 U.S.C. § 1920:

1. Fees for Transcripts (28 U.S.C. §1920(2)). *(Exhibit A)*

05/05/2022	Preliminary Injunction Hearing Transcript	\$157.50
12/07/2022	Depositions of Paul Henderson and Charles Walen	\$483.45

07/13/2023 Deposition of Terry Jones \$540.80

SUBTOTAL: \$1,181.75

TOTAL COSTS..... \$1,181.75

AFFIDAVIT OF DAVID R. PHILLIPS

STATE OF NORTH DAKOTA)
)ss
COUNTY OF BURLEIGH)

David R. Phillips, being first duly sworn on oath deposes and states as follows:

[1] That I am the attorney for Defendants Doug Burgum, in his official capacity as Governor of the State of North Dakota, and Michael Howe, in his official capacity as Secretary of the State of North Dakota in the above-captioned matter and have personal knowledge of the matters set forth in this Affidavit.

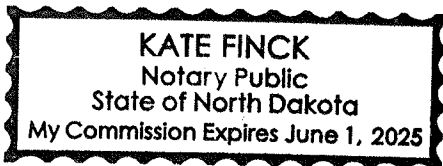
[2] The costs and disbursements set forth above correctly set forth the services that were actually and necessarily performed and the disbursements which were necessarily incurred in the above-entitled case.


FURTHER AFFIANT SAYETH NOT.



David R. Phillips

Subscribed and sworn to before me this 16 day of November, 2023.





Notary Public
My Commission Expires

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2023, a true and correct copy of the foregoing **VERIFIED STATEMENT OF COSTS AND DISBURSEMENTS AND AFFIDAVIT OF DAVID R. PHILLIPS** was filed electronically with the Clerk of Court through ECF.

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By: /s/ David R. Phillips
David R. Phillips

**UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
655 1ST AVENUE NORTH, SUITE 130
FARGO, ND 58102**

January 25, 2023

**STATEMENT
Invoice No. 2023-1-25Phillips**

TO: Mr. David R. Phillips
Special Assistant Attorney General
300 West Century Avenue
Bismarck, ND 58502

RE: **Charles Walen & Paul Henderson v. Doug Burgum, et al.**
USDC File No. 1:22-cv-31

5/5/22 Motion for Preliminary Injunction (Testimony of Terry Jones)
37 pages @ \$.90/page = \$ 33.30

5/5/22 Motion for Preliminary Injunction (Vol 2)
138 pages @ \$.90/page = \$124.20

***TOTAL:* \$ 157.50**

Please make check payable to Kelly A. Kroke
655 1st Avenue No., Ste. 130
Fargo, ND 58102
502-88-7051

Thank You...

Exhibit A

INVOICE

1 of 1



Client:
David R. Phillips, Esquire
Bakke Grinolds Wiederholt
300 West Century Avenue
Bismarck, ND 58503

Invoice No.	Invoice Date	Job No.
548742	12/21/2022	473885
Job Date	Case No.	
12/7/2022	1:22-CV-00031-CRH	
Client and Case Name		
Bakke Grinolds Wiederholt - Walen, et al. -v- Burgum, et al.		
Payment Terms		
Due upon receipt		

TRANSCRIPT WITH INDEX OF: Paul Henderson	62.00 Pages	244.90
TRANSCRIPT WITH INDEX OF: Charles Leander Walen	49.00 Pages	193.55
Processing Fee	1.00	45.00
TOTAL DUE >>>		\$483.45
AFTER 1/20/2023 PAY		\$507.62

Client law firm, as named above is responsible for the payment of this invoice and such payment is not contingent on any prior receipt of monies by client. By use of Planet Depos' services client accepts the terms and conditions set forth herein.

For convenience, payment can be made online at <https://planetdepos.com/pay> with any major credit card- subject to a 3% convenience fee.

For billing questions, please email billing@planetdepos.com or call 888.433.3767. Invoice disputes must be brought to our attention within 30 days of receipt. In the event Planet Depos engages an attorney to collect any monies due from client, client shall be responsible for payment of Planet Depos' reasonable attorney's fees. Thank you for your business.

Tax ID: 26-3280557

Please detach bottom portion and return with payment.

David R. Phillips, Esquire
Bakke Grinolds Wiederholt
300 West Century Avenue
Bismarck, ND 58503

Invoice No. : 548742
Invoice Date : 12/21/2022
Total Due : \$483.45
AFTER 1/20/2023 PAY \$507.62

Remit To: **Planet Depos**
P.O. BOX 791571
Baltimore, MD 21279-1571

Job No. : 473885
BU ID : *01-DMV
Case No. : 1:22-CV-00031-CRH
Case Name : Walen, et al. -v- Burgum, et al.



Invoice

Digital Evidence Group
 1730 M Street NW
 Suite 812
 Washington, DC 20036
 202-494-0625

Date	Invoice #
7/24/2023	26767
Tax ID # 31-1763752	

Please note our new EIN!

Bill To

Bakke Grinolds Wiederholt
 David R. Phillips
 300 West Century Avenue
 P.O. Box 4247
 Bismarck, ND 58502-4247

Terms	Due Date
Net 30	8/23/2023

Description	Qty	Rate	Serviced	Deponent	Case Ca...	Amount
Transcript Copy - Regular	110	3.95	7/14/2023	Terry Jones	Walen v. Burgum and MHA	434.50
Exhibits Processing/Scanned Platform (video connection, exhibit links)	18	0.35				6.30
	1	100.00				100.00
Total						\$540.80
Payments/Credits						\$0.00
Balance Due						\$540.80