

DECLARATION OF ERIC M. FRASER
IN SUPPORT OF REPLY IN SUPPORT OF APPLICATION FOR
ATTORNEYS' FEES & COSTS

I, Eric M. Fraser, swear to the truth of the following facts, of which I have firsthand knowledge:

1. I am a member at the firm of Osborn Maledon, P.A. and am the lawyer at the firm most familiar with this case. I am also familiar with the firm's timekeeping and billing practices.

2. This declaration is made pursuant to ARCAP 21, and details in connection with Osborn Maledon the hours worked on this matter, those persons who worked on this matter, their position and experience at the firm, and the reasonableness of the time spent on behalf of Plaintiffs/Appellants Jie Cao and Frazer Xia .

3. Since preparing the fee application, the Xias have incurred an additional \$5,3975.50 in attorneys' fees.

4. In the initial fee application, there was an 7/29/2021 time entry that contained a typo.

5. That entry stated, "Revise all sections of amicus brief; telephone call with Thom Hudson re same."

6. The entry should have instead stated “Revise all sections of **opening** brief; call with Thom Hudson re same.”

7. On that day, I was also working on an amicus brief in an unrelated Supreme Court case and mistakenly used the word “amicus” when I intended to write “opening.”

8. At that time, Pacific Legal Foundation had not drafted its amicus brief, or even agreed to participate in these proceedings.

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

Executed this 25th day of August, 2022.

/s/ Eric M. Fraser
Eric M. Fraser