

IN THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

KAREN DIXON,

Appellant,

v.

ROBERT L. WILKIE,
Secretary of Veterans Affairs,

Appellee.

Vet. App. No. **08-1475**

**TABLE OF CONTENTS TO AS FILED PDF OF APPELLANT'S AMENDED
RESPONSE TO COURT'S ORDER OF AUGUST 7, 2018, INCLUDING
SUPPLEMENTAL FEE REQUEST**

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Exhibit 1	Consumer Price Index, Denver-Boulder-Greeley -- Second Half 2017	Found at PDF pages 2-4
Exhibit 2	Declaration of Attorney Thomas W. Stoever, Jr.	Found at PDF pages 5-8
Appendix A to Exhibit 2	Table of Time Details Report	Found at PDF pages 9-12
Appendix B to Exhibit 2	Table of Costs Details Report	Found at PDF pages 13-23
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EXHIBIT 1

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Consumer Price Index, Denver-Boulder-Greeley – Second Half 2017

Prices increased 3.7 percent from the second half of 2016 to the second half of 2017

The Consumer Price Index for All Urban Consumers (CPI-U) for the Denver-Boulder-Greeley, Colo., metropolitan area increased 3.7 percent from the second half of 2016 to the second half of 2017, the U.S. Bureau of Labor Statistics reported today. Assistant Commissioner for Regional Operations Stanley W. Suchman noted that higher costs for shelter (4.9 percent) had the largest upward impact on the overall index. The energy index was up 8.9 percent and food prices rose 3.4 percent. The all items less food and energy index, which includes shelter, advanced 3.4 percent over the year.

News Release Information

18-92-KAN

Friday, January 12, 2018

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PDF


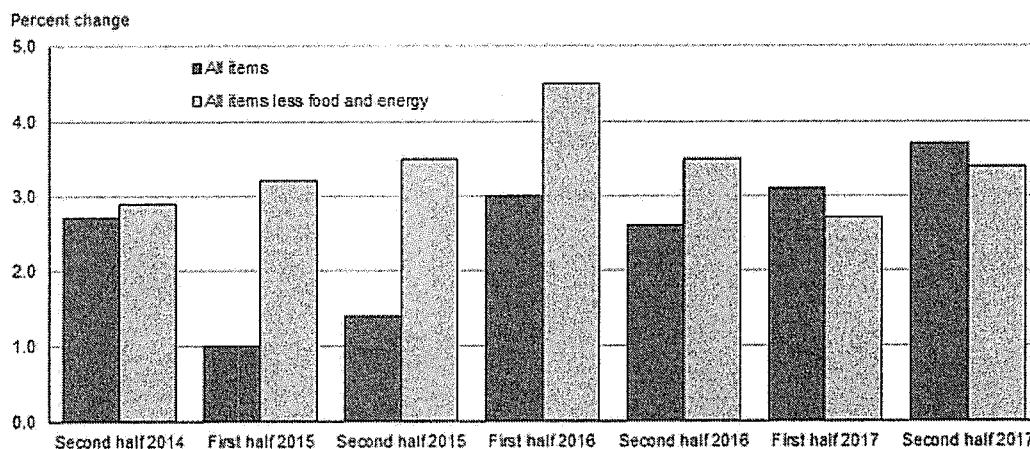
 [PDF version](#)

Chart 1. Over-the-year percent change in CPI-U, Denver, second half 2014–second half 2017



Source: U.S. Bureau of Labor Statistics.

Food

Food prices rose 3.4 percent from the second half of 2016 to the second half of 2017 after registering little change (0.2 percent) in the same period one year ago. Prices for food at home were up 2.2 percent while costs for food away from home advanced 5.0 percent over the year. Comparatively, from the second half of 2015 to the second half of 2016, prices for food at home were virtually unchanged (-0.1 percent) while costs for food away from home increased a moderate 0.6 percent.

Energy

The energy index, which includes motor fuel and household fuels, rose 8.9 percent from the second half of 2016 to the second half of 2017. Energy costs declined 4.6 percent in the same period one year ago. Higher prices for gasoline (13.8 percent) led the increase in the energy component. Prices

for electricity and utility (piped) gas service increased 4.1 and 3.1 percent, respectively. During the same period one year ago, gasoline prices fell 9.6 percent, while electricity prices increased 1.8 percent and utility (piped) gas service costs were 1.0 percent higher.

All items less food and energy

The index for all items less food and energy rose 3.4 percent from the second half of 2016 to the second half of 2017. Shelter costs had the greatest upward impact on the index with a gain of 4.9 percent after rising 7.0 percent in the same period one year ago. Other expenditure categories that registered higher prices over the year included medical care (6.8 percent) and recreation (3.8 percent).

The Denver CPI-U stood at 257.230 for the second half of 2017. This means that a market basket of goods and services that cost \$100.00 in the 1982-84 base period cost \$257.23 in the second half of 2017. Because metropolitan area CPI data are not adjusted for seasonal price variation, consumers and businesses should be cautious in drawing conclusions about long-term retail price trends from short-term changes in the area indexes.

CPI-W

The Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the Denver-Boulder-Greeley, Colo., metropolitan area for the second half of 2017 was 246.186. The CPI-W increased 3.7 percent from the second half of 2016 to the second half of 2017.

The Consumer Price Index for January 2018 is scheduled to be released on February 14, 2018.

Consumer Price Index Geographic Revision for 2018

In January 2018, BLS will introduce a new geographic area sample for the Consumer Price Index (CPI). This index will change to a bimonthly publication schedule beginning in January, 2018. The first indexes using the new structure will be published in February 2018. Additional information on the geographic revision is available at: www.bls.gov/cpi/georevision2018.htm.

Technical Note

The Consumer Price Index (CPI) is a measure of the average change in prices over time in a fixed market basket of goods and services. The Bureau of Labor Statistics publishes CPIs for two population groups: (1) a CPI for All Urban Consumers (CPI-U) which covers approximately 89 percent of the total population and (2) a CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers 28 percent of the total population. The CPI-U includes, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees and others not in the labor force.

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 87 urban areas across the country from about 6,000 housing units and approximately 24,000 retail establishments--department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date (1982-84) that equals 100.0. An increase of 16.5 percent, for example, is shown as 116.5. This change can also be expressed in dollars as follows: the price of a base period "market basket" of goods and services in the CPI has risen from \$10 in 1982-84 to \$11.65. For further details see the CPI home page on the Internet at www.bls.gov/cpi and the BLS Handbook of Methods, Chapter 17, The Consumer Price Index, available on the Internet at www.bls.gov/opub/hom/homch17_a.htm.

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. **NOTE: Area indexes do not measure differences in the level of prices between areas; they only measure the average change in prices for each area since the base period.**

The Denver-Boulder-Greeley, Colo., Metropolitan Statistical Area includes Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, and Weld Counties in Colorado.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: (202) 691-5200; Federal Relay Service: (800) 877-8339

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes for semiannual averages and percent changes for selected periods

Denver-Boulder-Greeley, CO (1982-84=100 unless otherwise noted)

Item and Group	Semiannual average indexes			Percent change to 2nd half 2017 from-	
	2nd half 2016	1st half 2017	2nd half 2017	2nd half 2016	1st half 2017

EXHIBIT 2

IN THE UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS

No. 08-1475

KAREN DIXON,

Appellant,

v.

ROBERT L. WILKIE,
Secretary of Veterans Affairs,

Appellee.

DECLARATION OF THOMAS W. STOEVER, JR.

Thomas W. Stoever, Jr.
ARNOLD & PORTER KAYE
SCHOLER LLP
370 Seventeenth Street, Suite 4400
Denver, Colorado 80202-1370
Tel: (303) 863-1000
Fax: (303) 832-0428
Email: thomas.stoever@aporter.com

Counsel for Appellant

I, Thomas W. Stoeve, Jr., declare as follows:

1. I am a partner with the law firm of Arnold & Porter Kaye Scholer LLP (hereinafter “Arnold & Porter”), counsel of record for the Appellant, Mrs. Karen Dixon. I am licensed to practice law in the State of Colorado. I make this declaration in support of Appellant’s Amended Response to Court’s Order of August 7, 2018, Including Supplemental Fee Request.

2. I have assembled a table (*see* Appendix A) of attorney and paralegal time entries from timekeeping records maintained as business records by Arnold & Porter, dating from December 12, 2016 thru September 11, 2018.¹ I have exercised my judgment to determine whether an activity might be not properly billable.

3. In addition, I have assembled a table (*see* Appendix B) of costs and expenses from disbursement records maintained as business records by Arnold & Porter, dating from December 12, 2016 thru February 3, 2018.² I have exercised my judgment to determine whether an expense might be not properly billable.

¹ Appellant’s Amended Application for Award of Attorneys’ Fees and Expenses, filed January 25, 2017 contained time entries of firm attorneys and paralegals, dating from August 28, 2012 through December 9, 2016.

² Further, the prior application contained costs and disbursements, dating from September 18, 2012 through November 15, 2016.

I declare and state under penalty of perjury under the laws of the United States of America that the information set forth in this application, declaration, and following appendices is true and correct.

Executed on 11th day of October, 2018, at Denver, Colorado.

/s/ Thomas W. Stoever, Jr.

Thomas W. Stoever, Jr.
ARNOLD & PORTER LLP

Counsel for Appellant

APPENDIX A

Tmpr Name	Date	Description	Time
Boyd, Adrienne D.	12/12/2016	Review revised spreadsheet re: fees and costs and revise EAJA application as necessary (.5); correspond with T. Stoever, H. Sterrett, and M. Kieffer re: same.	0.60
Sterrett, Holly E.	12/12/2016	Review EAJA application and new bill; discuss same with A. Boyd	0.9
Boyd, Adrienne D.	12/13/2016	Proof and finalize EAJA application and exhibits (.8); conference with T. Stoever, R. Golz, and H. Sterrett re: same (.2).	1
Golz, Rebecca A.	12/13/2016	Legal Assistant Services for H. Sterrett: assist with revisions to draft motion for attorneys fees and costs.	1.5
Sterrett, Holly E.	12/13/2018	Discuss brief with A. Boyd, R. Golz and T. Stoever	0.4
Golz, Rebecca A.	12/14/2016	Legal Assistant Services for H. Sterrett: file and serve appellant's motion for attorneys fees and costs.	0.8
Boyd, Adrienne D.	1/24/2017	Revise exhibit to EAJA application.	0.3
Golz, Rebecca A.	1/24/2017	Legal Assistant Services for H. Sterrett: discuss filing an amended application for attorneys fees and costs.	0.5
Sterrett, Holly E.	1/24/2017	Work on EAJA application respond to request from government counsel.	0.4
Golz, Rebecca A.	1/25/2017	Legal Assistant Services for H. Sterrett: revise, file and serve appellant's amended application for attorneys fees and costs.	1.9
Golz, Rebecca A.	1/26/2017	Legal Assistant Services for H. Sterrett: prepare a draft motion for leave to file an amended application for attorneys fees and costs; file and serve appellant's motion for leave to file an amended application for attorneys fees and costs.	0.6
Sterrett, Holly E.	1/26/2017	Work on EAJA application.	0.5
Golz, Rebecca A.	2/27/2017	Legal Assistant Services for T. Stoever: circulate and review appellee's response to the application for attorneys fees and costs.	0.5
Sterrett, Holly E.	2/27/2017	Review response to EAJA application.	0.3
Golz, Rebecca A.	3/2/2017	Legal Assistant Services for H. Sterrett: identify and assemble case law cites by appellee in the response to appellant's motion for attorneys' fees and costs	0.7
Sterrett, Holly E.	3/2/2017	Review response to EAJA application, and discuss our reply with M. Kieffer and A. Boyd.	1.8
Sterrett, Holly E.	4/4/2017	Review case law for EAJA application reply.	2.1
Sterrett, Holly E.	4/5/2017	Review and research case law for reply to EAJA application.	3
Sterrett, Holly E.	4/7/2017	Review relevant case law for reply brief.	0.7
Sterrett, Holly E.	4/10/2017	Research EAJA reply brief and prepare outline; discuss reply brief with T. Stoever.	0.5
Sterrett, Holly E.	4/11/2017	Research EAJA reply brief and prepare outline.	3.4
Sterrett, Holly E.	4/12/2017	Review case law for EAJA reply brief; draft EAJA reply brief detailed outline.	5.5
Sterrett, Holly E.	4/14/2017	Research and draft EAJA reply brief.	4.5
Sterrett, Holly E.	4/18/2017	Draft and research EAJA reply brief	2
Boyd, Adrienne D.	4/19/2017	Research EAJA case law re: waiver of reasonableness argument in Secretary's reply brief.	1.1
Golz, Rebecca A.	4/19/2017	Legal Assistant Services for H. Sterrett: review court rules regarding trial preparation.	0.3
Sterrett, Holly E.	4/19/2017	Draft and review reply in support of EAJA application	4.9
Sterrett, Holly E.	4/20/2017	Draft and revise reply in support of EAJA application.	3.8
Sterrett, Holly E.	4/21/2017	Draft and research reply in support of EAJA application.	5.9
Boyd, Adrienne D.	4/23/2017	Research case law for EAJA Reply brief on issues including reasonableness of fees, special circumstances, block billing, and application to equitable tolling litigation.	2.5
Sterrett, Holly E.	4/23/2017	Draft and research reply in support of EAJA application (.8) and discuss remaining research issues with A. Boyd (.2).	1
Boyd, Adrienne D.	4/24/2017	Continue research case law for EAJA Reply brief on issues including waiver of arguments not waived on appeal, and justification of agency action.	3.3
Sterrett, Holly E.	4/24/2017	Draft and revise reply in support of EAJA application.	1.5

Boyd, Adrienne D.	4/25/2017	Conference with H. Sterrett re EAJA Reply brief and veterans case law (.3); Perform cite check (.9).	1.2
Sterrett, Holly E.	4/25/2017	Draft reply in support of EAJA application.	3.5
Stoeve, Thomas W.	4/25/2017	Revisions to reply brief in support of APKS fee claim.	3
Boyd, Adrienne D.	4/26/2017	Conference with T. Stoeve and H. Sterrett re: revisions to EAJA reply brief (.7); review and perform cite check of brief (1.4).	2.1
Sterrett, Holly E.	4/26/2017	Draft Reply in support of EAJA application and discuss same with T. Stoeve.	1
Stoeve, Thomas W.	4/26/2017	Revisions to reply brief in support of APKS fee claim.	3
Boyd, Adrienne D.	4/27/2017	Complete cite check (1.5); confer with T. Stoeve and H. Sterrett re: content of EAJA Reply brief (.3).	1.8
Sterrett, Holly E.	4/27/2017	Draft reply in support of EAJA application and discuss same with T. Stoeve and A. Boyd.	3.2
Stoeve, Thomas W.	4/27/2017	Revisions to EAJA reply brief.	1.5
Sterrett, Holly E.	4/28/2017	Revise and finalize for filing reply in support of EAJA application.	3.4
Stoeve, Thomas W.	4/28/2017	Final revisions to brief of EAJA fees.	1.5
Stoeve, Thomas W.	5/10/2017	Phone conference with counsel for A regarding EAJA claim; review documents related to the same.	1.2
Golz, Rebecca A.	12/5/2017	Legal Assistant Services to T. Stoeve: review court order submitting case to panel for decision regarding motion for attorneys' fees and costs.	0.2
Golz, Rebecca A.	12/11/2017	Legal Assistant Services for T. Stoeve: revise and maintain case formal papers; update case calendar with oral argument set for February 1, 2018; prepare set of case materials for reference in preparation for February 1, 2018 oral argument.	0.7
Golz, Rebecca A.	1/25/2018	Legal Assistant Services for T. Stoeve: identify and assemble briefing citations and other cases materials for reference in preparation for oral argument before the Federal Circuit court on application for attorneys' fees and costs.	4.7
Golz, Rebecca A.	1/26/2018	Legal Assistant Services for T. Stoeve: prepare a draft timeline of events for reference in preparation for the upcoming oral argument before the Circuit Court for Veteran Claims.	1.7
Boyd, Adrienne D.	1/28/2018	Research EAJA case law for developments subsequent to briefing.	2.7
Stoeve, Thomas W.	1/30/2018	Prepare for oral argument.	4
Golz, Rebecca A.	1/31/2018	Legal Assistant Services for T. Stoeve: assist with preparing additional case law and other supporting materials for reference in preparation for oral argument regarding appellant's motion for attorneys' fees and costs.	1.1
Stoeve, Thomas W.	1/31/2018	Prepare for oral argument tomorrow by reviewing briefs, relevant case law, and outlining points for the argument.	4.2
Stoeve, Thomas W.	2/1/2018	Prepare for and argue EAJA motion before panel of CAVC in Washington, DC; follow-up from same.	4
Golz, Rebecca A.	6/19/2018	Legal Assistant Services for T. Stoeve: review court order regarding entitlement for attorneys' fees and costs; review fees and costs billed since December 10, 2016 for reference in settlement negotiations.	1.6
Stoeve, Thomas W.	6/27/2018	Review recent orders from CAVC and calculate fee claim.	1
Golz, Rebecca A.	7/10/2018	Legal Assistant Services for T. Stoeve: telephone call with client regarding July 5, 2018 letter from Board of Veterans Appeals granting veteran service connection claim.	0.1
Stoeve, Thomas W.	8/6/2018	Prepare for and participate in court ordered mediation of fees claim.	1
Stoeve, Thomas W.	8/27/2018	Revisions to brief requested by CAVC	0.8
Golz, Rebecca A.	8/30/2018	Legal Assistant Services for T. Stoeve: assist with revisions to appellant's additional brief regarding attorneys' fees and costs..	0.50
Stoeve, Thomas W.	8/30/2018	Revision to brief.	1.50
Golz, Rebecca A.	8/31/2018	Legal Assistant Services for T. Stoeve: review and calculate total billed hours and costs to-date spent preparing, defending and arguing appellant's motion for attorneys' fees and costs.	2.10

Stoever, Thomas W.	8/31/2018	Review hours/ expenses for fee petition and revise brief accordingly.	1.20
Golz, Rebecca A.	9/4/2018	Legal Assistant Services for T. Stoever: revise and maintain case formal papers.	0.20
Golz, Rebecca A.	9/6/2018	Legal Assistant Services for T. Stoever: finalize, file and serve appellant's response to court's order of August 7, 2018 regarding award of attorneys' fees and costs.	0.40
Golz, Rebecca A.	9/5/2018	Legal Assistant Services for T. Stoever: review and revise draft response to court order of August 7, 2018 re award of attorneys' fees and costs.	1.00
Stoever, Thomas W.	9/11/2018	Review recent orders from court.	1.50
			121.30

<u>Attorney Name</u>	<u>TMPR Hrs</u>	<u>TMPR Value</u>
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Stoever	29.40	\$6,174.29
Sterrett	54.20	\$11,382.54
Boyd	16.60	\$3,486.17

Total Attorney Hours	100.20	\$21,043.00
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<u>Legal Asst. Name</u>	<u>TMPR Hrs</u>	<u>TMPR Value</u>
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Golz	21.10	\$2,451.82
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Total Fees		\$23,494.82
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APPENDIX B

Date	Narrative	Cost Desc	Base Amt
12/12/2016	COPY Job made on 12122016 at DN-Xerox-44085-01-copier0 by 8136 Tona Salazar TOTAL PAGES: 10	Duplicating	\$1.50
12/12/2016	COPY Job made on 12122016 at DN-Xerox-44085-01-copier0 by 8136 Tona Salazar TOTAL PAGES: 10	Duplicating	\$1.50
12/12/2016	COPY Job made on 12122016 at DN-Xerox-44085-01-copier0 by 8136 Tona Salazar TOTAL PAGES: 10	Duplicating	\$1.50
12/12/2016	COPY Job made on 12122016 at DN-Xerox-44085-01-copier0 by 8136 Tona Salazar TOTAL PAGES: 2	Duplicating	\$0.30
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 30	Duplicating	\$3.00
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 53	Duplicating	\$5.30
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 73	Duplicating	\$7.30
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 56	Duplicating	\$5.60
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 45	Duplicating	\$4.50
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 10	Duplicating	\$1.00
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 84	Duplicating	\$8.40

1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN- Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 17	Duplicating	\$1.70
1/4/2017	PRINT Job made on 01042017 at \\DNPFS01\DN- Xerox-44085-01-printer0 by 8136 Tona Salazar TOTAL PAGES: 21	Duplicating	\$2.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 5	Duplicating	\$0.50
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 2	Duplicating	\$0.20
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 7	Duplicating	\$0.70

2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 8	Duplicating	\$0.80
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 10	Duplicating	\$1.00
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2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 2	Duplicating	\$0.20
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 5	Duplicating	\$0.50
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2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 7	Duplicating	\$0.70
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 6	Duplicating	\$0.60
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 11	Duplicating	\$1.10
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2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 5	Duplicating	\$0.50
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 5	Duplicating	\$0.50
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 4	Duplicating	\$0.40
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30

2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 3	Duplicating	\$0.30
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 2	Duplicating	\$0.20
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 2	Duplicating	\$0.20
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 1	Duplicating	\$0.10
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 2	Duplicating	\$0.20

2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 2	Duplicating	\$0.20
2/1/2017	PRINT Job made on 02012017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 28168 Geri Schlanger TOTAL PAGES: 132	Duplicating	\$13.20
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 22	Duplicating	\$2.20
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 7	Duplicating	\$0.70
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 2	Duplicating	\$0.20
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 22	Duplicating	\$2.20
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 7	Duplicating	\$0.70
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 9	Duplicating	\$0.90
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 19	Duplicating	\$1.90
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 9	Duplicating	\$0.90
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 7	Duplicating	\$0.70
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 29	Duplicating	\$2.90
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 14	Duplicating	\$1.40
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 7	Duplicating	\$0.70
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN- Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 15	Duplicating	\$1.50

4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 4	Duplicating	\$0.40
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 8	Duplicating	\$0.80
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 9	Duplicating	\$0.90
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 7	Duplicating	\$0.70
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 19	Duplicating	\$1.90
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 7	Duplicating	\$0.70
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 125	Duplicating	\$12.50
4/12/2017	PRINT Job made on 04122017 at \\DNPFS01\DN-Xerox-44025-01-printer0 by 26994 Portia Pullen TOTAL PAGES: 17	Duplicating	\$1.70
12/12/2017	PRINT Job made on 12122017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 28136 Tona Salazar TOTAL PAGES: 21	Duplicating	\$2.10
12/12/2017	PRINT Job made on 12122017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 28136 Tona Salazar TOTAL PAGES: 22	Duplicating	\$2.20
12/12/2017	PRINT Job made on 12122017 at \\DNPFS01\DN-Xerox-44085-01-printer0 by 28136 Tona Salazar TOTAL PAGES: 62	Duplicating	\$6.20
		Duplicating Total	\$123.50
12/12/2016	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$50.32
12/27/2016	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH DOCUMENT DISPLAYS	Westlaw Research	\$8.85
12/27/2016	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$140.76
12/29/2016	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH DOCUMENT DISPLAYS	Westlaw Research	\$8.85

12/29/2016	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$60.07
1/26/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$42.77
3/2/2017	Westlaw Computer Research by GOLZ BECKY MULTI-SEARCH TIME CLASS	Westlaw Research	\$19.94
3/2/2017	Westlaw Computer Research by GOLZ BECKY MULTI-SEARCH WEST REPORTER IMAGE	Westlaw Research	\$52.20
4/5/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH WESTLAW DOCUMENTS	Westlaw Research	\$2.70
4/4/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH TIME CLASS	Westlaw Research	\$36.34
4/5/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH TIME CLASS	Westlaw Research	\$150.34
4/14/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH WESTLAW DOCUMENTS	Westlaw Research	\$1.80
4/12/2017	Westlaw Computer Research by PULLEN PORTIA MULTI-SEARCH WESTLAW DOCUMENTS	Westlaw Research	\$5.70
4/14/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH TIME CLASS	Westlaw Research	\$15.90
4/13/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH TIME CLASS	Westlaw Research	\$19.71
4/24/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH WEST REPORTER IMAGE	Westlaw Research	\$4.35
4/23/2017	Westlaw Computer Research by STERRETT HOLLY MULTI-SEARCH TIME CLASS	Westlaw Research	\$50.78
4/26/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$152.13
4/25/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$278.58
4/27/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$372.11
4/23/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$482.67

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4/24/2017	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TIME CLASS	Westlaw Research	\$899.57
1/28/2018	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH DOCKETS IMAGES	Westlaw Research	\$1.20
1/28/2018	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH DOCKETS DETAIL	Westlaw Research	\$4.50
1/30/2018	Westlaw Computer Research by GOLZ BECKY MULTI-SEARCH TRANSACTIONAL SEARCHES	Westlaw Research	\$17.85
1/25/2018	Westlaw Computer Research by GOLZ BECKY MULTI-SEARCH DOCUMENT DISPLAYS	Westlaw Research	\$22.50
1/25/2018	Westlaw Computer Research by GOLZ BECKY MULTI-SEARCH TRANSACTIONAL SEARCHES	Westlaw Research	\$35.70
1/28/2018	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH DOCUMENT DISPLAYS	Westlaw Research	\$63.75
1/28/2018	Westlaw Computer Research by BOYD ADRIENNE MULTI-SEARCH TRANSACTIONAL SEARCHES	Westlaw Research	\$89.25
		Westlaw Research Expenses Total	\$3,091.19
2/3/2018	VENDOR: Stoeve Jr Thomas W INVOICE#: 2277454602061754 DATE: 2/5/2018 02/03/2018 - 02/03/2018; Denver, Colorado; Airfare; Travel to DC for Dixon hearing	Airfare/Train fare	\$542.99
		Airfare/Train fare Total	\$542.99
1/30/2018	VENDOR: Stoeve Jr Thomas W INVOICE#: 2277454602061754 DATE: 2/5/2018 02/03/2018 - 02/03/2018; Lodging; Travel to DC for Dixon hearing	Hotel	\$719.80
		Hotel Total	\$719.80
1/31/2018	VENDOR: Stoeve Jr Thomas W INVOICE#: 2277454602061754 DATE: 2/5/2018 02/03/2018 - 02/03/2018; Denver, Colorado; Travel Meals; Travel to DC for Dixon hearing	Travel Meals	\$47.60
		Travel Meals Total	\$47.60

1/30/2018	VENDOR: Stoeve Jr Thomas W INVOICE#: 2277454602061754 DATE: 2/5/2018 02/03/2018 - 02/03/2018; Car Service; Travel to DC for Dixon hearing	Travel Expenses	\$24.12
2/2/2018	VENDOR: Stoeve Jr Thomas W INVOICE#: 2277454602061754 DATE: 2/5/2018 02/03/2018 - 02/03/2018; Car Service; Travel to DC for Dixon hearing	Travel Expenses	\$38.17
2/3/2018	VENDOR: Stoeve Jr Thomas W INVOICE#: 2277454602061754 DATE: 2/5/2018 02/03/2018 - 02/03/2018; Parking; Travel to DC for Dixon hearing	Travel Expenses	\$48.00
		Travel Expenses Total	110.29
		Grand Total	\$4,635.37

EXHIBIT 3

From: Stoever, Jr., Thomas W.
Sent: Tuesday, August 14, 2018 11:35 AM
To: Morris, Ronen (OGC)
Subject: Dixon v. Wilkie 08-1475

Ronen,

As stated during the hearing in this matter on February 1, 2018 and again during our conference with Ms. Dowd from the Court's Central Legal Staff on August 6, 2018, Appellant remains willing to discuss settlement of this matter. I understood from your comments in open court on February 1, 2018, that the Secretary also was willing to discuss settlement should the Court determine that Ms. Dixon was entitled to recover fees, costs and expenses. Please contact me by phone (at either of the numbers shown below) or by return email if the Secretary has any interest in settling.

Tom

Thomas W. Stoever, Jr.
Partner

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M: +1.303.725.5851
Thomas.Stoever@arnoldporter.com | www.arnoldporter.com