

Healy Gallagher, Erin (TAX)

From: "Healy Gallagher, Erin (TAX)"
Sent: Friday, March 30, 2018 5:42 PM
To: denversnuffer@gmail.com; spaul@nsdplaw.com; dbgarrriott@msn.com;
joshua.egan@me.com
Cc: Hines, Erin R. (TAX); Moran, Christopher R. (TAX)
Subject: US v. RaPower-3, et al: United States' costs of enforcing motion to compel and
sanctions
Attachments: 2018 03 30 letter re costs of enforcement of court orders.pdf

Counsel,

Please see the attached.

Thank you,

Erin Healy Gallagher
Department of Justice - Tax Division
PO Box 7238
Washington DC 20044
(o) 202 353 2452
(f) 202 514 6770
erin.healygallagher@usdoj.gov



Trial Attorney: Erin Healy Gallagher
Attorney's Direct Line: 202-353-2452
Fax No. 202-514-6770
Erin.HealyGallagher@usdoj.gov

U.S. Department of Justice

Tax Division

Please reply to: Civil Trial Section, Central Region
P.O. Box 7238
Washington, D.C. 20044

DAH:RSC:EHealyGallagher
DJ 5-77-4466
CMN 2014101376

March 30, 2018

VIA EMAIL

Denver Snuffer
Steven Paul
NELSON SNUFFER DAHLE & POULSEN
10885 South State Street
Sandy, Utah 84070

Re: *United States v. RaPower-3, LLC, et al.*

Case No. 2:15-cv-00828-DN-BCW

Dear Counsel:

Pursuant to the Court's order regarding discovery sanctions, please see the attached summary of our costs for bringing the motion for sanctions and for further enforcing the Court's order compelling Defendants to produce documents and information.¹ Invoices from third-party vendors are also attached.

Sincerely,

/s/ Erin Healy Gallagher
ERIN HEALY GALLAGHER
Trial Attorney
Civil Trial Section, Central Region

CC: Daniel B. Garriott
Joshua Egan

¹ ECF No. 235 ¶ 11; ECF No. 218.

Date	Event	Person	Number of Miles	Number of Hours	Cost per Unit	Total Cost
10/22/2017	Travel for Erin Healy Gallagher to Sanctions Hearing 10/23/17	Erin Healy Gallagher	n/a	n/a	\$1,223.05	\$1,223.05
2/2/2018	Prepare and participate in conference call discussing phases of collection.	Innovative Discovery-Lamar Roulhac	n/a	1	\$325.00	\$325.00
2/7/2018	Prepare and participate in conference call discussing phases of collection.	Innovative Discovery-Lamar Roulhac	n/a	1	\$325.00	\$325.00
2/23/2018	Prepare and participate in conference call discussing phases of collection.	Innovative Discovery-Lamar Roulhac	n/a	1	\$325.00	\$325.00
2/26/2018	Travel-Transportation-2/26/2018-IL	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$16.00	\$16.00
2/26/2018	Travel-Transportation-2/26/2018-SUNOCO- Gambrills, MD	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$28.86	\$28.86
2/26/2018	Travel- Transportation- 2/26/2018-BUDGET.COM-Virginia Beach, VA	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$405.35	\$405.35
2/27/2018	Travel- Transportation- 2/27/2018-Delta Air Lines-ATL	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$9.00	\$9.00
2/27/2018	Travel-Transportation-2/27/2018-Delta Air Lines-ATL	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$48.00	\$48.00
2/27/2018	Travel-Transportation-2/27/2018-Delta Air Lines-ATL	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$1,353.00	\$1,353.00
2/27/2018	Travel-Transportation-2/27/2018-Delta Air Lines-ATL	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$10.99	\$10.99
2/27/2018	Travel-Transportation -2/27/2018-Delta Air Lines-ATL	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$75.00	\$75.00
2/28/2018	Taking video	Henderson Court Reporting-Chad Potts	n/a	4	\$170.00	\$680.00
2/28/2018	Mileage	Henderson Court Reporting-Chad Potts	262	n/a	\$0.54	\$141.48
2/28/2018	Driving time	Henderson Court Reporting-Chad Potts	n/a	4	\$55.00	\$220.00
2/28/2018	Round-trip Mileage between Seed Building and SLC Airport	Erin Healy Gallagher	288	n/a	\$0.54	\$155.52
2/28/2018	One day of hotel and per diem	Erin Healy Gallagher	n/a	n/a	n/a	\$157.17
2/28/2018	Monitoring data collection	Erin Healy Gallagher	n/a	4	\$151.17	\$604.68
2/28/2018	Forensic Consulting-Meeting Client Conference call	Innovative Discovery-Lamar Roulhac	n/a	1	\$325.00	\$325.00
2/28/2018	Forensic Imaging-Acquisition, forensic collection-Onsite (time from hotel to site to airport)	Innovative Discovery-Lamar Roulhac	n/a	13	\$350.00	\$4,550.00
2/28/2018	Hard drive (2)	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$249.00	\$498.00
2/28/2018	Travel-Lodging- 2/28/2018- Residence Inn	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$440.64	\$440.64
2/28/2018	Travel-Transportation-JetBlue Airways	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$819.00	\$819.00
2/28/2018	Travel- Transportation- BUDGET , Virginia Beach, VA	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$77.97	\$77.97
2/28/2018	Travel-Per Diem- Food during trip for collection	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$332.94	\$332.94
3/1/2018	Travel-Transportation- 3/1/2018	Innovative Discovery-Lamar Roulhac	n/a	n/a	\$65.94	\$65.94

United States' costs for enforcing Court Orders

ECF Nos. 218 235

Date	Event	Person	Number of Miles	Number of Hours	Cost per Unit	Total Cost
3/2/2018	Travel- Lodging 3/2/2018- Residence Inn	Innovative Discovery- Lamar Roulhac	n/a	n/a	\$313.92	\$313.92
3/8/2018	Forensic Analysis-Programming and formatting excel spreadsheet report	Innovative Discovery- Lamar Roulhac	n/a	6	\$350.00	\$2,100.00
3/12/2018	Prepare and participate in conference call discussing excel sheet report and programming.	Innovative Discovery- Lamar Roulhac	n/a	1.75	\$325.00	\$568.75
					TOTAL	\$16,195.26

INVOICE



Erin Healy Gallagher, Esq.
 US DOJ - Tax Division
 555 4th Street, NW
 Washington DC 20001

Invoice No.	Invoice Date	Job No.
72731	3/13/2018	42918
Job Date	Case No.	
2/28/2018	2:15-CV-00828 DN	
Case Name		
USA v. Rapower-3, et al		
Payment Terms		
Due upon receipt		

Site Inspection (Maverick Gas Station)

Video - Hourly	4.00	Hours	@	170.00	680.00
Driving - mileage	262.00	Miles	@	0.54	141.48
Driving - time	4.00	Hours	@	55.00	220.00
TOTAL DUE >>>					\$1,041.48
AFTER 5/12/2018 PAY					\$1,145.63

Tax ID: 46-0476632

Please detach bottom portion and return with payment.

Erin Healy Gallagher, Esq.
 US DOJ - Tax Division
 555 4th Street, NW
 Washington DC 20001

Job No. : 42918 BU ID : Media
 Case No. : 2:15-CV-00828 DN
 Case Name : USA v. Rapower-3, et al
 Invoice No. : 72731 Invoice Date : 3/13/2018
Total Due : \$1,041.48
 AFTER 5/12/2018 PAY \$1,145.63

Remit To: **Henderson Legal Services, Inc.**
1560 Wilson Blvd, Suite 750
Arlington VA 22209

PAYMENT WITH CREDIT CARD				
Cardholder's Name: _____				
Card Number: _____				
Exp. Date: _____		Phone#: _____		
Billing Address: _____				
Zip: _____		Card Security Code: _____		
Amount to Charge: _____				
Cardholder's Signature: _____				
Email: _____				



Invoice

1700 N. Moore St., Ste. 1500 Office: 703-875-8003
Arlington, VA 22209 Fax: 703-875-8022

Invoice #	16048
Due Date	3/30/2018
Invoice Date	2/28/2018

Bill To:
Department of Justice, Tax Division ATTN: Theodore Bridge P.O. Box 813 Ben Franklin Station Washington, DC 20044

Ordering Party	Client/Matter No.	Terms	Rep	Project Date	Project Name
Stephanie Yates		30 Days	JS	2/1/2018	U.S. v. RaPower
Item	Qty	Description	Rate	Amount	
Forensic Analysis	6	3/8/2018: Programming and formatting excel spreadsheet report.	350.00	2,100.00T	
Forensic Consulting	1	2/28/2018: Meeting Client Conference call - Discuss collection strategies - DOJ v RaPower3 - FDI-1183-01	325.00	325.00T	
Forensic Imaging	13	3/1/2018: Acquisition - Forensics collection – Hotel to Onsite to Airport - FDI - 007247 store4_iaus.sql - DOJ v RaPower3 - FDI-1183-01	350.00	4,550.00T	
Hard drives	2	FDI-1183-01 - DOJ v RaPower3 - Incidentals/Hard Drives/Purchased Items (FDI- 007248, FDI- 007249)	249.00	498.00T	
Project Management	4.75	Project Management	325.00	1,543.75T	
		2/2/2018:1.0 hr: Prepare and participate in conference call discussing phases of collection.			
		2/7/2018: 1.0 hr: Prepare and participate in conference call discussing phases of collection.			
		2/23/2018:1.0 hr: Prepare and participate in conference call discussing phases of collection.			
		3/12/2018: 1.75 hr: Prepare and participate in conference call discussing excel sheet report and programming.			
Tax ID 82-1592947 Thank you for choosing Innovative Discovery, LLC!			Sales Tax (0.0%)	\$0.00	
			Total	\$9,016.75	
			Payments/Credits	\$0.00	
			Balance Due	\$9,016.75	



Invoice

1700 N. Moore St., Ste. 1500 Office: 703-875-8003
Arlington, VA 22209 Fax: 703-875-8022

Invoice #	16049
Due Date	3/30/2018
Invoice Date	2/28/2018

Bill To:
Department of Justice, Tax Division ATTN: Theodore Bridge P.O. Box 813 Ben Franklin Station Washington, DC 20044

Ordering Party	Client/Matter No.	Terms	Rep	Project Date	Project Name
Stephanie Yates		30 Days	JS	2/1/2018	U.S. v. RaPower
Item	Qty	Description	Rate	Amount	
Travel- Lodging	1	Travel - Lodging - 2/28/2018 - RESIDENCE INN 932 PROVO UT	440.64	440.64T	
Travel- Lodging	1	Travel - Lodging - 3/2/2018 - RESIDENCE INN 932 PROVO UT	313.92	313.92T	
Travel- Transportati...	1	Travel - Transportation - 2/26/2018 - HTTP://WWW.GOGOAIR.C 877-350-0038 IL	16.00	16.00T	
Travel- Transportati...	1	Travel - Transportation - 2/26/2018 - SUNOCO 0388333704 03 GAMBRILLS MD	28.86	28.86T	
Travel- Transportati...	1	Travel - Transportation - 2/26/2018 - BUDGET.COM PREPAY RE VIRGINIA BEAC VA	405.35	405.35T	
Travel- Transportati...	1	Travel - Transportation - 2/27/2018 - DELTA AIR LINES ATLANTA US	9.00	9.00T	
Travel- Transportati...	1	Travel - Transportation - 2/27/2018 - DELTA AIR LINES ATLANTA US	48.00	48.00T	
Travel- Transportati...	1	Travel - Transportation - 2/27/2018 - DELTA AIR LINES ATLANTA US	1,353.00	1,353.00T	
Travel- Transportati...	1	Travel - Transportation - 2/27/2018 - DELTA AIR LINES ATLANTA US	10.99	10.99T	
Travel- Transportati...	1	Travel - Transportation - 2/27/2018 - DELTA AIR LINES ATLANTA US	75.00	75.00T	
Travel- Transportati...	1	Travel - Transportation - 2/28/2018 - JETBLUE AIRWAYS JETBLUE	819.90	819.90T	
Travel- Transportati...	1	Travel - Transportation - 3/1/2018 - SHELL OIL 5744600170 PARK CITY UT	65.94	65.94T	
Travel- Transportati...	1	Travel - Transportation - 3/2/2018 - BUDGET.COM VIRGINIA BEAC V	77.97	77.97T	
Travel- Per Diem	1	Travel - Per Diem - Food	332.94	332.94T	

Tax ID 82-1592947 Thank you for choosing Innovative Discovery, LLC!	Sales Tax (0.0%)	\$0.00
	Total	\$3,997.51
	Payments/Credits	\$0.00
	Balance Due	\$3,997.51

Healy Gallagher, Erin (TAX)

From: Healy Gallagher, Erin (TAX)
Sent: Wednesday, May 09, 2018 2:33 PM
To: Denver Snuffer; spaul@nsdplaw.com; dbgarriott@msn.com; joshua.egan@me.com
Cc: Hines, Erin R. (TAX); Moran, Christopher R. (TAX)
Subject: FW: US v. RaPower-3, et al: United States' costs of enforcing motion to compel and sanctions
Attachments: 2018 03 30 letter re costs of enforcement of court orders.pdf

Counsel,

More than 30 days have passed since I sent the attached. (See ECF No. 235 para. 11(b) & (c).) If we do not hear back from you regarding our costs to collect the customer database by Monday, May 14, we will seek an appropriate order from the Court for Defendants to pay the costs identified in the attached.

Regards,

Erin Healy Gallagher
Department of Justice - Tax Division
PO Box 7238
Washington DC 20044
(o) 202 353 2452
(f) 202 514 6770
erin.healygallagher@usdoj.gov

From: Healy Gallagher, Erin (TAX)
Sent: Friday, March 30, 2018 5:41 PM
To: denversnuffer@gmail.com; spaul@nsdplaw.com; dbgarriott@msn.com; joshua.egan@me.com
Cc: Hines, Erin R. (TAX) <Erin.R.Hines@tax.USDOJ.gov>; Moran, Christopher R. (TAX) <Christopher.R.Moran@tax.USDOJ.gov>
Subject: US v. RaPower-3, et al: United States' costs of enforcing motion to compel and sanctions

Counsel,

Please see the attached.

Thank you,

Erin Healy Gallagher
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