

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION

JOHN WILLIAM LICCIONE,

Plaintiff,

v.

Case No.: 24-003939-CI

CATHY SALUSTRI LOPER, et al.,

Defendants.

FEE AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

On this day personally appeared James B. Lake, who was sworn and upon personal knowledge says:

1. I am a founding member of the law firm Thomas & LoCicero PL (“TLo”), which represents Defendants Cathy Salustri Loper, Barry Loper and Thursday Morning Media, Inc., in this matter. The purpose of this affidavit is to set forth record evidence of the work, reasonable attorneys’ fees and costs at issue in Defendants’ Motion for Judgment for Fees and Costs (the “Motion”).

2. I have reviewed our firm’s records concerning our work on this matter and our costs. A history documenting the work, fees and costs at issue is attached as **Exhibit A**. This exhibit contains an accurate and truthful account of work and fees for which Defendants seek an award pursuant to Section 768.295 of the Florida Statutes (the “Anti-SLAPP Law”). I redacted a small number of entries that contained substantive attorney-client communications.

3. I worked as lead counsel on the case, and my colleagues James McGuire, Mark Caramanica and Elizabeth Ernest worked with me in planning the case strategy, conducting legal research, drafting and editing our motions to dismiss, preparing for oral argument, and pursuing our claim that Plaintiff's causes of action violated the Anti-SLAPP Law.

#### **My Role, Background and Qualifications**

4. I have practiced in the areas of media law, intellectual property and civil litigation in Florida since 1994. I am admitted to practice before all Florida state courts, the district courts of the Middle, Northern and Southern Districts of Florida, the Eleventh Circuit U.S. Court of Appeals, and the U.S. Supreme Court. Prior to the founding of TLo in 2006, I was a partner at Holland & Knight LLP. I am a member of the Media and Communications Law Committee of The Florida Bar, the American Bar Association ("ABA"), and the ABA's Forum on Communications Law. I also serve on the Board of Trustees of Florida's First Amendment Foundation, and I have taught media law as an adjunct professor at the Stetson University College of Law and at the University of Tampa.

5. For more than 30 years, I have worked closely with media organizations, and I have substantial experience defending the news media in civil litigation related to their speech. That experience includes litigating issues at both the trial and appellate court levels. I have appeared as counsel in more than 65 published and unpublished decisions in state and federal courts. I have been recognized by *Best Lawyers in America*, *Florida Trend's* Legal Elite, Florida Super Lawyers, and Tampa Magazine Top Lawyers, and hold the highest rating available (AV Preeminent) from Martindale-Hubbell.

6. I was the Defendants' primary attorney throughout this litigation. I worked at least 128.6 hours on this litigation, as shown on Exhibit A. My standard hourly rate in 2024 was \$495. Today, my standard hourly rate is \$550.

#### **James McGuire's Role, Background and Qualifications**

7. Mr. McGuire, too, is a founding partner of TLo. He has been licensed to practice law for more than 32 years, and he is admitted to practice in all Florida state courts, the District of Columbia, the United States District Courts for the Middle and Southern Districts of Florida, the United States Courts of Appeals for the Eleventh Circuit and the D.C. Circuit, and the United States Supreme Court. Before entering private practice, he clerked for the Honorable Karen LeCraft Henderson of the United States Court of Appeals for the District of Columbia.

8. Mr. McGuire devotes a substantial portion of his practice to First Amendment, media, and defamation litigation, as well as trademark and appellate matters. Over the course of his career, he has represented newspapers, broadcasters, film studios, and digital publishers in defamation and privacy actions, access and newsgathering disputes, and intellectual-property litigation. He is AV-rated by Martindale-Hubbell and has been recognized multiple times as a Florida Super Lawyer and by *Florida Trend's* Legal Elite.

9. In this matter, Mr. McGuire provided targeted assistance on strategy and briefing. He expended at least 4.0 hours on this matter. Mr. McGuire's standard hourly rate was \$560 in 2024. Today, his standard hourly rate is \$605.

#### **Mark Caramanica's Role, Background and Qualifications**

10. Mark Caramanica is also a TLo partner. He has been admitted to the bars of Florida and New York; all three U.S. District Courts of Florida; the Eastern and Southern Districts of New York; the U.S. 11th, 5th and 9th Circuits; and the U.S. Supreme Court. His

practice focuses on media law, intellectual property, and civil litigation. He has been a lawyer since 2002. Prior to joining TLo in 2013, Mr. Caramanica was an attorney at the Reporters Committee for Freedom of the Press, the nation's leading legal advocacy non-profit organization serving free press and First Amendment interests. Prior to that, he practiced commercial litigation in New York City, where he represented foreign and domestic corporate clients in multi-million dollar disputes.

11. In this matter, Mr. Caramanica reviewed some of Plaintiff's filings and arguments, edited some of our draft responses, and provided assistance regarding strategy and briefing. He worked at least 8.6 hours on this matter. Mr. Caramanica's standard hourly rate was \$470 in 2024. Today, his standard hourly rate is \$510.

#### **Elizabeth Ernest's Role, Background and Qualifications**

12. Elizabeth Ernest is a litigation associate and admitted to The Florida Bar and in the Middle District of Florida. Her practice areas include defamation, First Amendment law, and intellectual property. She was editor-in-chief of the First Amendment Law Review at the University of North Carolina and counseled clients in the UNC Intellectual Property Clinic. Prior to attending law school, Ms. Ernest served in the Peace Corps in Senegal, West Africa, where she wrote and managed federal grant projects and facilitated technical trainings and development projects.

13. In this matter, Ms. Ernest provided research in response to one of Plaintiff's arguments concerning our Anti-SLAPP claim and motion to dismiss the Second Amended Complaint. She worked at least 1.7 hours on this case. Her standard hourly rate was \$275 in 2024. Today, her standard hourly rate is \$310.

### **Reasonableness of Time Spent and Hourly Rates**

14. Defendants seek an award of reasonable attorneys' fees for 128.6 hours I spent on the case, 4.0 hours that Mr. McGuire spent, 8.6 hours of Mr. Caramanica's time, and 1.7 hours that Ms. Ernest spent. All of this work is described in more detail on Exhibit A. The amount of time spent was reasonable and not duplicative.

15. The hourly rates we seek for the award in this case are our standard rates in effect in 2024, when this litigation began. Specifically, those rates are \$560 for Mr. McGuire, \$495 for me, \$470 for Mr. Caramanica and \$275 for Ms. Ernest. Those rates are reasonable and in line with the fees charged in this area by attorneys of like experience, skill and reputation for similar work.

16. As Exhibit A indicates, the fees total \$70,406.50 for 142.9 hours of work.

17. I reviewed on a monthly basis our time entries for accuracy and reasonableness. The total of \$70,406.50 represents fees incurred for reasonable, productive, non-duplicative time. Exhibit A does not include any work on matters unrelated to this litigation. I concluded that \$70,406.50 is reasonable after evaluating the following factors in Florida Bar Rule 4-1.5(b):

- **time and labor required** (extensive because, over the course of the First, Second and Third Amended Complaints, Plaintiff asserted a total of 12 counts against Defendants. Plaintiff also filed voluminous motions, legal arguments, and additional documents. Review of this material was complicated by Plaintiff's citations to non-existent case law and misrepresentations of the contents of actual court opinions. Reviewing, understanding, addressing and refuting Plaintiff's arguments required significant attorney time.);

- **the novelty, complexity and difficulty of the questions involved** (the causes of action varied, including alleged state and federal statutory violations and various torts under election law and the common law, and the claims overlapped with litigation in other courts, thus requiring the review of multiple legal theories and court filings);
- **skill required to perform the legal service properly** (this litigation required knowledge of broad areas of the law and particular expertise in defamation law and the Anti-SLAPP Law);
- **preclusion of other employment due to the acceptance of the case** (this litigation was time-consuming, and the Plaintiff’s numerous filings diverted our attention from other matters);
- **the customary rate** (our standard rates are reasonable and in line with fees customarily charged in the Tampa Bay area (and elsewhere in Florida) for similar legal services (*see, e.g., GS Holistic, LLC v. Brother Pastor LLC*, No. 8:22-CV-2179-VMC-TGW, 2023 WL 5720708, at \*3 (M.D. Fla. Sept. 5, 2023) (in case deemed frivolous, approving hourly rate of \$500 for partner with twenty-three years’ experience); *Smith v. Costa del Mar, Inc.* Case No. 3:18-cv-01011-TJC-LLL (M.D. Fla. Jan. 27, 2022) (determining that a \$500 per hour rate “accurately reflects the rates for lawyers of comparable quality in the relevant legal community of the Middle District of Florida”); *First National Bank of Oneida, N.A. v. Brandt*, 2021 WL 2856626 (M.D. Fla. 2021) (approving hourly rates of \$650 and \$705 for lawyers with more than twenty-two years of experience); *Family First Life, LLC v. Rutstein*, 22-CV-80243-AMC, 2023 WL 5939620, at \*3 (S.D. Fla. Aug. 23, 2023), *report and recommendation adopted*, 22-80243-CIV, 2023 WL 5929434 (S.D. Fla. Sept. 12,

2023) (finding a partner billing rate of \$775 per hour reasonable in defamation litigation); *Ticktin v. Goldmintz*, 391 So. 3d 470, 479 (Fla. 4th DCA 2024) (affirming hourly rate of \$550); *Bello v. Hulu, LLC*, Case No. 2022-020759-CA-01 (Fla. 11th Cir. Ct. Feb. 27, 2025) (finding rates of \$380-\$725 in Anti-SLAPP case were reasonable); *Marquez v. Lazarow*, 29 Fla. L. Weekly Supp at 797a (finding that \$830 and \$465 were reasonable rates));

- **significance of the representation, responsibility and results obtained** (this was a significant case, in which Plaintiff sought compensatory and punitive damages for protected speech about a Congressional primary, and the result was the defeat of 12 counts with a finding all of them were without merit);
- **time limitations imposed by the client or the circumstances** (Plaintiff's tactics and last-minute filings prior to hearings imposed significant time constraints);
- **the nature and length of our professional relationship with Defendants** (although this was our first representation of these Defendants, we have an extensive, long-term relationship with the news media generally);
- **the experience, reputation and ability of the attorneys** (as noted, above, my colleagues and I are accomplished, experienced media-defense lawyers. We are well known in The Florida Bar and nationally for our defamation defense work.);
- **whether the fee is fixed or contingent and client's ability to pay** (our fee is fixed, but because our clients are two individuals and a small newspaper, their ability to pay is limited. Plaintiff filed a notice of appeal just days after this Court entered the January 29 Order, thus demonstrating he will continue to use this litigation to force Defendants to incur additional attorneys' fees.).

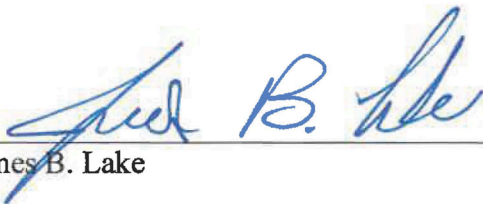
18. Because The Gabber is a small newspaper, we agreed to bill Defendants at discounted hourly rates for our work. Specifically, we billed Defendants \$395 per hour for the work of partners and \$225 for Ms. Ernest's work. At those discounted rates, our fees for the work on Exhibit A totaled \$56,320.50. However, as our motion explains, Plaintiff is not entitled to the benefit of that discount, and Defendants should instead be awarded fees at our standard 2024 rates.

19. Defendants incurred court reporter appearance fees in the amount of \$587.30. The items included in this total are listed on Exhibit A. Copies of the court reporter invoices are attached as Composite Exhibit B. These costs are reasonable, and Defendants are responsible for them.

20. Exhibit A and Composite Exhibit B were derived from records made and maintained by TLo in the regular course of its business, based upon entries made at or near the time the work was performed and the costs were incurred, from information transmitted by persons with personal knowledge of that information, such as me. It is TLo's regular practice to make and keep these records. These records are in the custody, supervision, and control of TLo employees, such as me, and are complete, accurate, and correct.

AFFIANT SAYS NOTHING FURTHER

DATED this 17<sup>th</sup> day of February, 2026.


  
James B. Lake

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was subscribed and sworn to before me this 17<sup>th</sup> day of February, 2026 by JAMES B. LAKE, who is  personally known to me /  has produced \_\_\_\_\_ as identification and  who did /  did not take an oath.

(SEAL)



  
Printed/Typed Name: NATACHA St. Fort  
Notary Public State of Florida  
Commission Number:

# **EXHIBIT A**

## Thomas & LoCicero PL

601 South Boulevard  
Tampa, FL 33606  
(813) 984-3060

Matter: 1114.000001  
John Liccione v. Thursday Morning Media, Inc., et al.  
Client: Thursday Morning Media, Inc. d/b/a The Gabber

### Fees

Date	Description	Hours	Staff
09/13/2024	Review Liccione complaint (.2); legal analysis and research re same (.4); telephone conference with C. Loper re same (.2).	0.8	JBL
09/16/2024	Continue analysis of complaint and case strategy.	0.2	JBL
09/17/2024	Review documents from client and status of related litigation (.6); consider options re motion to dismiss (.4).	1.0	JBL
09/18/2024	Review article at issue and consider legal arguments re same (.1); correspondence to P. Graney re status of service of process (.1).	0.2	JBL
09/19/2024	Review status of related cases (.1); legal analysis and telephone conference with codefendant's counsel re same (.3).	0.4	JBL
09/20/2024	Draft introduction and begin drafting legal argument section of motion to dismiss (1.0).	1.0	JBL
09/21/2024	Continue drafting motion to dismiss.	0.4	JBL
09/23/2024	Continue research and drafting motion to dismiss.	2.7	JBL
09/24/2024	Edit and finalize notice of appearance (.2); continue drafting motion to dismiss (1.2); correspondence to C. Loper re same (.2).	1.6	JBL
09/24/2024	Review complaint (.3); review draft motion to dismiss and provide proposed revisions (.6).	0.9	JJM
09/26/2024	Correspondence with C. Loper and legal analysis re next steps in litigation.	0.3	JBL
09/27/2024	Draft additions to motion to dismiss (.5); legal analysis re same and re status of case (.4).	0.9	JBL
09/30/2024	Review notice of appearance from co-defendant's counsel (.1); telephone conference with C. Loper re motion to dismiss and Democratic Party's news release (.2); revise motion (.3); correspondence with C. Loper re same (.1).	0.70	JBL
10/01/2024	Telephone conference with attorneys for co-defendants re defense strategy and possible removal of case to federal court (.4); legal analysis re same (.3).	0.7	JBL
10/02/2024	Telephone conference and correspondence with C. Loper re [REDACTED].	0.4	JBL
10/03/2024	Finalize motion to dismiss (.1); correspondence to client re same (.1); correspondence to co-defendant's counsel re removal (.1).	0.3	JBL
10/07/2024	Review plaintiff's notice of dismissal of claims against W. Fox; correspondence with C. Loper re same.	0.1	JBL
10/15/2024	Review and analysis of plaintiff's response to motion to dismiss (.3); correspondence and telephone conference	1.1	JBL

Date	Description	Hours	Staff
	with C. Loper re same (.3); correspondence with co-defendants and legal analysis re possible next steps in litigation (.5).		
10/21/2024	Correspondence re scheduling hearing on motions to dismiss (0.4); review and analysis re case law cited in plaintiff's response to motion to dismiss (0.3); review co-defendant's sanctions motion (0.1); preparation for hearing on motion to dismiss (0.4).	1.2	JBL
10/23/2024	Telephone conference with client re status of case and upcoming hearing on motions to dismiss.	0.2	JBL
10/28/2024	Correspondence with P. Heinzen re [REDACTED].	0.1	JBL
10/29/2024	Review plaintiff's motion to compel and to continue hearing on motions to dismiss (0.3); legal research and analysis re same (0.9); review plaintiff's correspondence re same (0.1); correspondence with C. Loper re same (0.3); draft, edit and finalize response to motion (0.4).	2.0	JBL
11/01/2024	Review correspondence between plaintiff and judicial assistant (0.1); select case law for submission to court (0.3); edit cover letter to judge (0.1).	0.5	JBL
11/04/2024	Telephone conference with plaintiff (0.2); review and analysis of court's order proposing stay (0.4); correspondence and telephone conference with C. Loper re same and re [REDACTED] (0.3); research re plaintiff's threatened defamation claim (0.5).	1.4	JBL
11/04/2024	Review order staying case and consider re strategy in response to same.	0.2	MRC
11/05/2024	Correspondence with plaintiff and co-defendant re court's stay motion (0.2); review court's amended notice of hearing (0.1); correspondence to C. Loper re upcoming hearing (0.1); review plaintiff's correspondence to court (0.1).	0.5	JBL
11/07/2024	Draft response to court's motion and order re staying case.	0.3	JBL
11/08/2024	Review plaintiff's response to court's stay motion (0.3); review federal court complaint (0.4); draft outline for argument re court's stay motion and re motion to dismiss (1.1).	1.8	JBL
11/11/2024	Preparation for hearing on court's motion to stay and motions to dismiss (0.7); correspondence and telephone conference with client re same (0.3); draft additions to oral argument outline re same (0.9); review additional case law re same (0.4).	2.3	JBL
11/12/2024	Review case law and finalize oral argument outline for use at hearing on court's stay motion and motions to dismiss (1.5); meet with clients, defense counsel and plaintiff before and after hearing (.5); participate in hearing and present oral argument (0.9); travel (2.0) (no charge).	2.9	JBL
11/18/2024	Legal analysis re status of litigation and upcoming hearing in companion case (0.2); draft letter to judge re same (0.2); correspondence to C. Loper re same (0.2).	0.6	JBL

Date	Description	Hours	Staff
11/19/2024	Edit and finalize letter to judge re motion to compel and upcoming status conference (0.1); telephone conference with C. Loper re same and re status of litigation (0.2).	0.3	JBL
11/21/2024	Correspondence with C. Loper re status of case and review docket in related federal case.	0.30	JBL
12/06/2024	Review plaintiff's correspondence with amended federal complaint and settlement overture (0.1); correspondence with C. Loper re same (0.2).	0.2	JBL
12/10/2024	Correspondence with C. Loper re [REDACTED].	0.1	JBL
12/11/2024	Correspondence with C. Loper re [REDACTED] (0.1); respond to plaintiff re same (0.1).	0.2	JBL
12/17/2024	Analysis of plaintiff's settlement proposal (0.2); correspondence with C. Loper re same (0.1).	0.3	JBL
12/18/2024	Correspondence to plaintiff re his settlement proposal.	0.1	JBL
01/23/2025	Review correspondence from plaintiff (0.1); correspondence and telephone conference with C. Loper re same (0.1).	0.2	JBL
01/24/2025	Correspondence with plaintiff and C. Loper.	0.1	JBL
02/03/2025	Review show-cause order in related case (0.1); correspondence and telephone conference with C. Loper re same (0.1).	0.2	JBL
02/12/2025	Review correspondence from plaintiff (0.1); correspondence and telephone conference with C. Loper re same (0.2).	0.3	JBL
02/14/2025	Finalize and send response to plaintiff's latest settlement overture.	0.1	JBL
02/26/2025	Review Florida Supreme Court order transferring Liccione petition to circuit court (0.1); telephone conference with co-defendant's counsel and to C. Loper re same (0.2).	0.2	JBL
03/06/2025	Review plaintiff's new filings (0.3); correspondence with C. Loper re same (0.1); review plaintiff's request to disqualify judge (0.2); correspondence with C. Loper re [REDACTED] (0.3).	0.9	JBL
03/07/2025	Review Florida Supreme Court orders and new motion from Liccione; correspondence to C. Loper re same.	0.1	JBL
03/13/2025	Review order denying plaintiff's motion to disqualify trial judge (0.1); correspondence to C. Loper re same (0.1).	0.2	JBL
03/20/2025	Review notice dismissing claims against reporter; correspondence to C. Loper re same.	0.1	JBL
03/28/2025	Review order denying Liccione's transferred petition; correspondence to C. Loper re same.	0.1	JBL
03/29/2025	Review correspondence from plaintiff, including draft motion and proposed order.	0.1	JBL
03/31/2025	Correspondence to C. Loper re [REDACTED].	0.1	JBL
04/01/2025	Review plaintiff's motion for leave to file second amended complaint and proposed second amended complaint (0.3); legal analysis re next steps in litigation (0.4); correspondence and telephone conference with C. Loper re same (0.4).	1.1	JBL

Date	Description	Hours	Staff
04/02/2025	Correspondence to plaintiff re his pending motion to lift stay and proposed motion to file second amended complaint.	.2	JBL
04/22/2025	Review plaintiff's notice re pending motion (0.1); legal research re plaintiff's failure to request hearing (0.4).	.5	JBL
04/23/2025	Telephone conference with counsel for co-defendants re status of case and related litigation.	.2	JBL
04/30/2025	Correspondence with plaintiff re his request for hearing time (0.2); legal analysis re same (0.2).	.2	JBL
05/16/2025	Correspondence to C. Loper and legal analysis re [REDACTED] (0.3); draft additions to statement of Anti-SLAPP defenses, including legal argument re 2025 articles cited in proposed second amended complaint (1.7); expand argument re conspiracy claim (0.3) and re free-speech issues (0.7).	3.0	JBL
05/17/2025	Legal research re motion to amend (0.5); draft response (1.1).; edit response to stay motion and Anti-SLAPP memorandum (0.9).	2.5	JBL
05/18/2025	Draft legal argument concerning humor article (1.7); research and analysis re same and re flaws in plaintiff's arguments concerning debate article (2.1); draft additions to responses to pending motions and to Anti-SLAPP memo of law (3.1).	6.9	JBL
05/19/2025	Legal analysis re possible additions to responses to plaintiff's motions (1.1); draft additions, including further citations to plaintiff's pleadings in related litigation (.9); respond to plaintiff's settlement overture (.2).	2.2	JBL
05/20/2025	Legal analysis and research re court's authority to impose sanctions after motion to amend meritless pleading (0.3); telephone conference with co-defendant's counsel re status of PDEC case (0.1).	0.4	JBL
05/21/2025	Research status of Plaintiff's other litigation (0.3); consider grounds for court's consideration of records from related litigation (0.3); draft requests for judicial notice and related revisions to responses to motion to amend and motion to lift stay (0.3).	0.9	JBL
05/22/2025	Draft additions to responses to plaintiff's motions, including argument that debate article was neutral report and that articles must be read as a whole.	0.7	JBL
05/22/2025	Review amended complaint, motion to dismiss, motion to amend complaint, and proposed second amended complaint in order to analyze draft briefs re these issues (.9); review and provide proposed revisions to opposition to motion to amend, response to motion to lift stay, and memorandum in support of anti-SLAPP motion (.7).	1.6	JJM
05/23/2025	Draft notice of filing exhibits and citations re same (0.4); edit responses to plaintiff's motion and memorandum of law (0.7).	1.1	JBL
06/02/2025	Edit responses to pending motions and notice of filing key documents (2.4); correspondence and telephone conference with C. Loper re same and re upcoming hearing (0.4).	2.8	JBL

Date	Description	Hours	Staff
06/04/2025	Legal analysis of proposed second amended complaint and arguments for dismissal.	1.0	JBL
06/06/2025	Preparation for upcoming hearing in light of plaintiff's motion to strike.	.2	JBL
06/06/2025	Review and analyze Plaintiffs' motion to strike and help plan strategy for addressing same.	.5	JJM
06/09/2025	Legal analysis re hearing issues and strategy (0.3); correspondence in preparation for hearing (0.3); draft outline for argument re pending motions (1.8).	2.4	JBL
06/10/2025	Prepare for hearing and argue in opposition to plaintiff's motions (1.1); telephone conference with C. Loper re same (.2); edit notice of upcoming hearing (.1).	1.4	JBL
06/11/2025	Edit notice of hearing (.1); legal analysis re next steps in litigation (.1).	0.2	JBL
06/13/2025	Analysis of plaintiff's discovery demand and settlement overture (0.3); correspondence and telephone conference with C. Loper re same and re next steps in litigation (0.4); draft motion to dismiss second amended complaint (1.4); research re same (0.4).	2.5	JBL
06/16/2025	Respond to plaintiff re settlement demand and proposed depositions.	0.2	JBL
06/17/2025	Research re case law for possible use in support of Anti-SLAPP motions and motion to dismiss Second Amended Complaint (0.7); draft additions to motion to dismiss Second Amended Complaint (0.3).	1.0	JBL
06/18/2025	Draft additions to motion to dismiss Second Amended Complaint (2.0); correspondence to C. Loper re same (0.1); review and select case law for use at upcoming hearing on Anti-SLAPP motions (0.7).	2.8	JBL
06/20/2025	Review and edit draft motion to dismiss (0.3); consider additional case law and arguments (0.3).	0.6	MRC
06/21/2025	Review additional case law and draft additions to motion to dismiss second amended complaint (0.8); edit and finalize motion (0.3); correspondence to C. Loper re same (0.1); edit letter to court with courtesy copies of motions, related documents and case law (0.1).	1.3	JBL
06/23/2025	Review correspondence from Plaintiff and help plan strategy re response to same.	0.2	MRC
06/23/2025	Review plaintiff's correspondence seeking to postpone hearing (0.1); legal analysis and correspondence with C. Loper re same (0.2); draft, edit, finalize and send response to plaintiff re same (0.4).	0.7	JBL
06/24/2025	Begin drafting outline for argument on Anti-SLAPP motions (0.5); review Plaintiff's motion for continuance (0.2); review order re same (0.1); telephone conference with C. Loper re same (0.1); correspondence with Plaintiff re new hearing date (0.1).	1.0	JBL
06/25/2025	Legal analysis re Plaintiff's objection to court hearing both motions to dismiss at upcoming hearing (0.4); review court's preferences re setting hearings (0.2); edit amended notice of hearing (0.1); draft, edit and finalize correspondence to judicial assistant re same and	1.6	JBL

Date	Description	Hours	Staff
	responding to plaintiff's objections re same (0.8); correspondence to Plaintiff re letter to judge and case law (0.1).		
06/30/2025	Preparation for upcoming hearing, including oral argument outline.	1.2	JBL
07/01/2025	Legal analysis re possible use of D.C. court order as supplemental authority (0.3); draft notice re same (0.3); draft revisions to oral argument outline (0.8); correspondence with judicial assistant re JAWS notice and hearing time (0.1).	1.5	JBL
07/02/2025	Finalized notice of filing supplemental authority.	0.1	JBL
07/03/2025	Review and analysis of plaintiff's response to motion to dismiss second amended complaint (0.5); correspondence and telephone conference with C. Loper re same (0.3); research re case law cited in response (0.4); draft additions to oral argument outline (1.2).	2.4	JBL
07/03/2025	Analyze opposition brief and legal arguments to reply to Anti-SLAPP arguments raised by Plaintiff.	0.3	MRC
07/05/2025	Prepare for anti-SLAPP and dismissal hearing by researching debate qualifications and analogous presidential campaign qualifications to rebut Plaintiff's hypothetical in his opposition briefing.	1.7	EE
07/05/2025	Draft additions to oral argument outline in light of plaintiff's response to Anti-SLAPP motion re Second Amended Complaint (1.6); legal research re same (0.7).	2.3	JBL
07/07/2025	Prepare for and participate in moot court session re Anti-SLAPP motion argument (1.3); review opposition memorandum re same (0.2).	1.5	MRC
07/07/2025	Review case law in preparation for hearing on motions to dismiss (0.8); practice oral argument (1.2); plan and draft additions to oral argument outline (1.0).	3.0	JBL
07/08/2025	Complete review of case law and revisions to outline for hearing on motions to dismiss and for attorneys' fees (2.0); attend hearing and argue motions (1.2); telephone conference with C. Loper re same (0.2).	3.4	JBL
07/09/2025	Draft proposed order re stay and second amended complaint (0.3); correspondence with plaintiff re same (0.2); begin drafting proposed order on motions to dismiss, including background section, discussion of Anti-SLAPP law and First Amended Complaint (1.5).	2.0	JBL
07/10/2025	Confer internally re strategy on proposed order to judge and preservation of Anti-SLAPP rights as to original complaint.	0.2	MRC
07/10/2025	Correspondence to judge and judicial assistant re proposed order on stay and filing second amended complaint (0.4); continue drafting proposed order on motions to dismiss (1.5).	1.9	JBL
07/11/2025	Continue drafting proposed order, including discussion of Anti-SLAPP standards (1.1); review case law and incorporate discussion re same (1.4).	2.5	JBL
07/13/2025	Review and edit proposed order granting motions to dismiss/SLAPP.	0.4	MRC

Date	Description	Hours	Staff
07/14/2025	Analyze proposed order submitted by Plaintiff and consider strategy re same.	0.3	MRC
07/14/2025	Review and revise proposed order (0.8); correspondence with C. Loper re same (0.2).	1.0	JBL
07/15/2025	Final review of proposed order on motions to dismiss (0.3); draft letter to court and correspondence to judicial assistant re same (0.1).	0.4	JBL
07/17/2025	Review court's order lifting stay and permitting Second Amended Complaint.	0.1	JBL
08/14/2025	Review Liccione's correspondence to Gabber reporter; review C. Loper's correspondence re same; review attached court documents; correspondence to C. Loper re same.	0.2	JBL
09/24/2025	Review correspondence from plaintiff to judicial assistant; correspondence to C. Loper re same.	0.1	JBL
09/25/2025	Review correspondence from judicial assistant; correspondence to C. Loper re same.	0.1	JBL
10./13/2025	Review District of Columbia federal court's order dismissing related case; legal analysis re same.	0.2	JBL
10/15/2025	Review order granting Anti-SLAPP motions (0.2); confer with clients re same (0.2); legal analysis re next steps in litigation (0.5).	0.9	JBL
10/16/2025	Legal analysis re next steps in litigation and strategy re fee award.	0.4	JBL
10/17/2025	Legal analysis re next steps in litigation (0.2); draft correspondence to plaintiff re same (0.2).	0.4	JBL
10/20/2025	Legal analysis and correspondence with C. Loper re next steps in litigation (0.2); telephone conference with plaintiff (0.5).	0.7	JBL
11/04/2025	Analysis and research re third amended complaint (0.4); correspondence and telephone conference with C. Loper re same (0.3).	0.7	JBL
11/05/2025	Legal analysis re options, strategy and possible arguments in response to Third Amended Complaint.	0.3	JBL
11/06/2025	Draft introduction, background and first argument section of motion to dismiss Third Amended Complaint.	2.6	JBL
11/06/2027	Legal analysis re third amended complaint and potential response to same, differences from prior pleadings.	0.2	MRC
11/07/2025	Analyze third amended complaint and strategy to move to dismiss (0.4); research potential defenses to actual malice pleading allegations (0.8); review court dismissal re same (0.1).	1.3	MRC
11/07/2025	Review dismissal order and correspondence from plaintiff to court re same (0.1); legal analysis re next steps in litigation and status of proposed Third Amended Complaint (0.1).	0.2	JBL
11/10/2025	Telephone conference with C. Loper re status of litigation (0.2); review case law for possible use in motion to dismiss third amended complaint (0.4); draft additions to motion to dismiss, including legal argument re voter affidavit (1.3).	1.9	JBL

Date	Description	Hours	Staff
11/11/2025	Draft actual malice and neutral report sections of motion to dismiss (1.9); expand discussion of material falsity (0.5); review key documents and edit discussion re same (0.5).	2.9	JBL
11/12/2025	Edit and draft additions to motion to dismiss third amended complaint (0.6); review court's order vacating dismissal with prejudice (0.1).	0.7	JBL
11/13/2025	Analyze and edit draft motion to dismiss Third Amended Complaint (0.8); plan legal strategy to obtain dismissal with prejudice (0.3).	1.1	MRC
11/13/2025	Review additional case law (0.4) and draft additions to actual malice argument in motion to dismiss Third Amended Complaint (0.3); edit and revise motion to dismiss (0.6).	1.3	MRC
11/17/2025	Edit and finalize motion to dismiss (0.7); review exhibits and status of case law (0.3).	1.0	JBL
11/18/2025	Final review of motion to dismiss Third Amended Complaint (0.2); review exhibits (0.1); coordinate filing of motion (0.1); consider options re seeking hearing on motion and plan next steps in litigation (0.2).	0.6	JBL
11/19/2025	Legal analysis and correspondence to plaintiff and C. Loper re scheduling hearing on motion to dismiss (0.2); telephone conference with C. Loper re same (0.2).	0.4	JBL
11/20/2025	Legal analysis re plaintiff's proposal to bifurcate Anti-SLAPP and vexatious litigant issues (0.5); confer with C. Loper and plaintiff re same (0.5); review plaintiff's proposed motion and draft stipulation re same (0.8); analysis re plaintiff's proposed revisions (0.5); correspondence with plaintiff re same (1.0).	3.3	JBL
11/21/2025	Correspondence with judicial assistant re scheduling hearing on motion to dismiss (0.2); correspondence with client re same (0.1).	0.3	JBL
11/24/2025	Edit and finalize notice of hearing on Motion to Dismiss Third Amended Complaint.	0.1	JBL
12/03/2025	Legal analysis re case law for possible use at hearing on motion to dismiss third amended complaint (0.3); edit letter to trial court re upcoming hearing (0.2).	0.5	JBL
12/04/2025	Draft outline for oral argument on motion to dismiss Third Amended Complaint.	2.1	JBL
12/08/2025	Finalize letter to court re motion to dismiss Third Amended Complaint (0.2); correspondence to plaintiff re same (0.1).	0.3	JBL
12/09/2025	Review plaintiff's response to motion to dismiss third amended complaint (0.2); correspondence to C. Loper re same (0.1).	0.3	JBL
12/10/2025	Analyze arguments raised in opposition to motion to dismiss third amended complaint.	0.7	MRC
12/10/2025	Legal analysis re possible points for oral argument in light of plaintiff's response to motion to dismiss.	0.3	JBL
12/10/2025	Review and analyze Plaintiff's opposition to motion to dismiss third amended complaint (0.6); consider key arguments to raise in reply to Plaintiff's opposition (0.4).	1.0	JJM

Date	Description	Hours	Staff
12/11/2025	Legal analysis re plaintiff's response to motion to dismiss third amended complaint (0.7); research re same (0.8); telephone conferences with plaintiff (0.4) and with C. Loper (0.2); draft additions to oral argument outline (1.7).	3.4	JBL
12/12/2025	Correspondence with judicial assistant re rescheduling hearing on motion to dismiss third amended complaint (0.2); correspondence and telephone conference with C. Loper re same (0.3); edit and finalize amended notice of hearing (0.1).	0.6	JBL
12/26/2025	Analyze supplemental filing by Liccione re additional news coverage of candidacy (0.1); consider strategy/reply to same at motion to dismiss hearing (0.2).	0.3	MRC
12/26/2025	Review additional filing from plaintiff (0.3); correspondence to C. Loper re same (0.1); draft additions to oral argument outline (1.3).	1.7	JBL
12/30/2025	Preparation for hearing on motion to dismiss third amended complaint (0.2); consider possible additions to outline re same (0.3).	0.5	JBL
01/02/2026	Legal analysis re defamation by implication issue and case law re same (0.4); revise outline for argument re same (0.4); correspondence with plaintiff re court reporter for hearing (0.1); review plaintiff's second supplemental response to motion to dismiss (0.2); draft additions to oral argument outline re same (0.3).	1.4	JBL
01/04/2026	Review plaintiff's third supplement to response to motion to dismiss (0.1); correspondence to C. Loper re same and re upcoming hearing (0.1); draft additions to oral argument outline addressing Plaintiff's recent filings and revising other arguments for dismissal (1.2).	1.4	JBL
01/05/2026	Review case law cited in plaintiff's response to motion to dismiss (0.7); review oral argument outline and draft additions in preparation for hearing (2.4); attend hearing and argue motion (1.1); telephone conference with C. Loper re same and re next steps in litigation (0.3).	4.5	JBL
01/29/2026	Review order of dismissal with prejudice (.2); correspondence and telephone conference with C. Loper re same (0.1); legal analysis re seeking attorneys' fee award (0.2).	0.5	JBL

**FEE SUMMARY**

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
James Lake	128.6	\$495.00	\$63,657.00
James McGuire	4.0	\$560.00	\$ 2,240.00
Mark Caramanica	8.6	\$470.00	\$ 4,042.00
Elizabeth Ernest	1.7	\$275.00	\$ 467.50
<b>Totals</b>			<b>\$70,406.50</b>

**COSTS (Court Reporter Fees)**

06/12/2025	Veritext Legal Solutions- Case: Liccione, John William v. Salustri Loper, Cathy et al hearing.	\$165.00
07/14/2025	Prestige Reporting Service, Inc. – Hearing 07/08/2025	\$211.15
01/06/2026	Prestige Reporting Service, Inc. – Hearing date 01/05/2026.	\$211.15
	<b>TOTAL COSTS</b>	<b>\$587.30</b>

**TOTAL FEES & COSTS \$70,993.30**

# **COMPOSITE EXHIBIT B**

**Veritext, LLC - Florida Region**

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**Bill To:** James B. Lake  
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Tampa, FL, 33602

**Invoice #:** 8390211  
**Invoice Date:** 6/11/2025  
**Balance Due:** \$165.00

**Case:** Liccione, John William v. Salustri Loper, Cathy et al (24003939CI)

**Proceeding Type:** Hearing

Job #: 7422376 | Job Date: 6/10/2025 | Delivery: Normal

Location: Tampa, FL

Billing Atty: James B. Lake

Scheduling Atty: James B. Lake | Thomas & LoCicero PL

**Witness:** Honorable Patricia A. Muscarella

**Amount**

Professional Attendance

\$165.00

Notes:

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**Balance Due:** \$165.00

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**Invoice Date:** 6/11/2025  
**Balance Due:** \$165.00

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(954) 764-7297 | Email: [info@prestigereportingservice.com](mailto:info@prestigereportingservice.com)

## INVOICE

Thomas & LoCicero PL  
ATTN: James B. Lake  
601 S Boulevard  
Tampa, FL 33606-2629

Invoice Number: **126335**  
Invoice Date: 07/09/2025  
Job Number: 131942

In Re: John William Liccione vs. Julie Marcus, et al  
Case Number: 24-003939-CI  
Counsel For:  
Attendance Date: 07/08/2025, 3:30 p.m.  
Reporter: Victoria Paez Neil

Category: Hearing  
Reference: Patricia A. Muscarella

Qty	Description	Rate	Amount
	<b>Hearing before the Honorable Patricia A. Muscarella</b>		
	<b>70 Estimated Pages/Transcript Not Requested</b>		
1	Attendance: 1st Hour	125.00	125.00
1	Attendance: Each Add'l (3:30 - 4:50)	80.00	80.00

Invoice Total: 205.00  
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## INVOICE

Thomas & LoCicero PL  
ATTN: James B. Lake  
601 S Boulevard  
Tampa, FL 33606-2629

**Invoice Number:** 129009  
**Invoice Date:** 01/06/2026  
**Job Number:** 134925

In Re: John William Liccione vs. Cathy Salustri Loper, et al  
Case Number: 24-003939CI  
Counsel For:  
Attendance Date: 01/05/2026, 4:00 p.m.-5:00 p.m.  
Reporter: Victoria Paez Neil

Category: Hearing  
Reference: Patricia A. Muscarella

Qty	Description	Rate	Amount
	<b>Hearing before the Honorable Patricia A. Muscarella</b>		
	<b>60 Estimated Pages/Transcript Not Requested</b>		
1	Attendance: 1st Hour	125.00	125.00
1	Attendance: Each Add'l - (4:00 - 5:15)	80.00	80.00

Invoice Total: 205.00  
**Total Without CC Fee: 205.00**  
Credit Card Fee: 6.15

**Total Amount Due If Paying By Credit Card: 211.15**

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