## STATE OF MINNESOTA

## COUNTY OF RAMSEY

John Doe 76C,

v.

## DISTRICT COURT

SECOND JUDICIAL DISTRICT Case Type: Personal Injury

Case No. 62-C9-06-003962

# DEFENDANT DIOCESE OF WINONA'S NOTICE OF TAXATION, BILL OF COSTS AND DISBURSEMENTS, AND AFFIDAVIT OF COUNSEL

Archdiocese of Saint Paul and Minneapolis, and Diocese of Winona,

Defendants.

Plaintiff.

TO: PLAINTIFF JOHN DOE 76C AND HIS ATTORNEYS, JEFFREY R. ANDERSON, PATRICK W. NOAKER AND MICHAEL G. FINNEGAN, JEFF ANDERSON & ASSOCIATES, P.A., SUITE 100, 366 JACKSON STREET, ST. PAUL, MINNESOTA 55101.

**PLEASE TAKE NOTICE**, that application will be made pursuant to Rule 54.04 of the Minnesota Rules of Civil Procedure to the Court Administrator at the Ramsey County Courthouse, 600 Courthouse, 15 West Kellogg Boulevard, City of St. Paul, in the County of Ramsey and State of Minnesota, to have the within bill of costs and disbursements taxed and inserted in the judgment then and there to be entered herein.

## **AFFIDAVIT OF IDENTIFICATION**

State of Minnesota ) ) ss. County of Olmsted )

Anna Restovich Braun, being duly sworn, on oath says: that she is the attorney for the Defendant, The Diocese of Winona, in the action above entitled; that to the best of her knowledge, information and belief, the Plaintiff in said action is known by the pseudonym John Doe 76C. The true and correct name is confidential.

#### **AFFIDAVIT OF NON-MILITARY STATUS**

Plaintiff above named, is not now, as affiant verily believes, in the military service of the United States; that this affidavit is made in compliance with the Service Members Civil Relief Act of 2003.

## AFFIDAVIT OF COSTS AND DISBURSEMENTS

Attached hereto as Exhibit A is a true and correct itemized statement of items of costs and disbursements by, and on behalf of, Defendant The Diocese of Winona, in said action including costs for depositions, witness fees and other costs and disbursements in connection with the <u>Frye-Mack</u> hearing and summary judgment proceedings herein. These costs and disbursements are just, true and correct and have been necessarily paid and incurred by Defendant Diocese of Winona in said action.

Attached hereto as Exhibit B is a true and correct copy of the court's Order filed October 12, 2010, and Judgment filed October 14, 2010.

2

Attached hereto as Exhibit C is a true and correct copy of the Findings of Fact, Conclusions of Law and Order dated December 8, 2009.

The total costs and disbursements are as follows:

Statutory Costs (Minn. Stat. § 549.02, subd. 1) \$ 200.00

Total from Exhibit A (Minn. Stat. § 549.04)

TOTAL

\$ 67,928.46

<u>\$ 67,728.46</u>

Further your affiant sayeth not.

Anna Restovich Braun

Subscribed and sworn to before me this 24 day of November, 2010.

Notary Public





# John Doe 76C v. Arcdiocese of St. Paul and Minneapolis and Diocese of Winona Court File No. 62-CO-06-3962

# DIOCESE OF WINONA'S COSTS AND DISBURSEMENTS

DATE	PAYEE	DESCRIPTION	AMOUNT
12/21/2007	Q & A Productions	James Keenan deposition videotape	441.25
12/26/2007	Scribes	James Keenan deposition transcript	61335
<b>TOTAL 2007</b>			\$1,054.60

01/08/2008	William M. Grove, PhD	Expert Fees	\$3,253.00
01/31/2008	William M. Grove, PhD	One-half (1/2) of Expert Fees	3,084.40
02/08/2008	Esquire Deposition Service	Dr. Dalenberg deposition transcript	1,375.00
02/25/2008	Harrison G. Pope	Expert Fees	6,240.00
02/25/2008	Jeff Anderson & Associates	One-half (1/2) of Mr. Keenan's airfare	593.50
02/25/2008	William M. Grove, PhD	Expert Fees	5,227.20
03/12/2008	Photocopy Expense	Photocopy Expense	288.60
03/25/2008	Scribes	Dr. Kenning deposition transcript	446.35
03/25/2008	Harrison G. Pope	Expert Fees	5,070.00
03/25/2008	William M. Grove	Expert Fees	365.63
07/07/2008	Jeff Anderson & Associates	One-half (1/2) of Dr. Dalenberg's airfare	798.50
07/25/2008	Scribes	Stephanie Keenan deposition transcript	612.35
08/08/2008	Affiliated Court Reporters	Andrew Eisenzimmer deposition transcript	550.47
08/13/2008	Scribes	John and Marna Keenan deposition transcripts	493.85
08/25/2008	Scribes	Dr. Dalenberg deposition transcript	567.85
10/09/2008	Affiliated Court Reporters	Larry Dose & PJ Thompson deposition transcripts	618.51
10/21/2008	Hegle & Associates	John Bierbaum deposition transcript	455.00
11/14/2008	Harrison G. Pope	Expert Fees	2,730.00
11/20/2008	Ramsey County Court	Motion and Fax Filing Fees	80.00
<b>TOTAL 2008</b>			\$32,850.21

02/10/2009	Deborah S. Gutierrez	Dr. Pope deposition transcript	\$ 979.70
02/10/2009	Deborah S. Gutierrez	Dr. Chu deposition transcript	634.80
02/10/2009	Harrison G. Pope	One-half (1/2) of expert fees	4,020.00
03/26/2009	Ramsey County Court	Motion Filing Fee	55.00
04/06/2009	Ramsey County Court	Fax Filing Fee	25.00
04/07/2009	Ramsey County Court	Additional Fax Filing Fees	25.00
04/17/2009	Affiliated Court Reporters	Dr. Grove deposition transcript	446.12
04/24/2009	James A. Chu MD	Expert Fees – deposition	800.00
05/11/2009	Scribes	Father Doyle deposition transcript	818.35
05/18/2009	Jeff Anderson & Associates	Father Doyle Expert Fees	1,761.50
06/02/2009	Deposition International Inc.	Bishop Carlson deposition transcript	908.50
06/22/2009	Frederick C. Brown	Expert Fees	2,437.50
06/22/2009	Elizabeth Loftus	Expert Fees	7,296.13
06/22/2009	Harrison G. Pope	Expert Fees	11,741.05
07/06/2009	William M. Grove	Expert Fees	1,750.00
09/14/2009	Ramsey County Court	Motion and Fax Filing Fees	125.00
<b>TOTAL 2009</b>			\$33,823.65

# TOTAL COSTS & DISBURSEMENTS: \$67,728.46