

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ELOUISE PEPION COBELL, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	1:96CV01285 (TFH)
)	
KEN SALAZAR, Secretary of the Interior, <i>et al.</i> ,)	
)	
Defendants.)	
)	

AFFIDAVIT OF DENNIS M. GINGOLD

1. My name is Dennis M. Gingold. From June 10, 1996 through December 4, 2012, I served as lead counsel for plaintiffs in Cobell v. Salazar, No. 1:96CV 011285, an action in equity in this Court. I make this affidavit in support of the fee request by Class Counsel for payment of post settlement time out of plaintiffs' settlement account.

2. I maintain time records in annual, hardcopy diaries and electronically in a Microsoft Excel software file. Contemporaneously with each particular identified task, activity, or event, I enter a description of specific matter(s) or task(s) undertaken and performed; time expended to the tenth of an hour; and the identity of individuals or entities relevant to the referenced(s) or task(s).

3. From the aforementioned diaries, no later than the close of each business day, I enter my time electronically into a software file exclusive of confidential and

privileged information. My time entries are included in Class Counsel's Combined Time Records.

4. My time records reflect actual recorded time. I have not modified or otherwise manipulated my time records to conform my entries to those of co-counsel or Mr. Rempel. Differences with respect to individuals identified and time recorded by co-counsel and me during conference calls, in meetings or on various matters may reflect differences in the amount of time each person participated in such calls, meetings, or matters. Other differences may reflect an inadvertent omission to record time in whole or part. Still, other differences may reflect the fact that individuals on conference calls did not identify themselves or actively participate in such calls.
5. I am a member in good standing of the Bar of this Court, the Bar of the United States Court of Appeals for the D.C. Circuit, and the Bar of the United States Supreme Court. I am also admitted to practice law and I am in good standing in New Jersey and Colorado (inactive) and in various other federal trial and appellate courts. I have been a member of the bar since 1974 (New Jersey by examination).
6. Cases that I have developed and led for major clients have been tried and argued successfully on the merits in various federal courts, including the United States Supreme Court.
7. I served as a Reginald Heber Smith Fellow from 1975 to 1976. Afterwards, I was a Treasury Department lawyer and I was a partner in major national and international law firms, including Kirkland & Ellis. For 29 years, I have been

recognized as one of the top 20 banking lawyers in the United States. I am also recognized as a top civil litigator. See, e.g., National Law Journal, December 1983; The American Lawyer, February 2010. In 1995, I was recognized as one of nine individuals – and the only lawyer in private practice – who would have the most influence on banking in 1996. American Banker Washington Watch, December 1995.

8. My current, base hourly rate, and that which I have charged and have been paid on non-Cobell matters during the period of time relevant to Class Counsel's post settlement time fee request, is \$925.00 per hour. That is consistent with rates charged by, and paid to, attorneys, whose professional skill and experience is comparable to mine, for similarly complex and important banking and financial matters. I do not handle standard legal matters and I do not discount my rate. Success bonuses, if any, are added to my base rate.

I declare under penalty of perjury that the forgoing is true and correct. Executed on December 5, 2012.

/s/ Dennis M. Gingold

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AFFIDAVIT OF DENNIS M. GINGOLD was served on the following via facsimile, pursuant to agreement, on this 10th day of September, 2013.

Earl Old Person (*Pro se*)
Blackfeet Tribe
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Browning, MT 59417
406.338.7530 (fax)

/s/ William E. Dorris