

IN THE CIRCUIT COURT OF INDEPENDENCE COUNTY, ARKANSAS

LUNDEN ALEXIS ROBERTS

PLAINTIFF

vs.

ROBERT HUNTER BIDEN

DEFENDANT

Case No: 32DR-19-187

2D DIV.

MOTION FOR ATTORNEY’S FEES AND COSTS
PENDENTE LITE WITH INCORPORATED BRIEF

COMES NOW the plaintiff, by and through her attorneys, **LANCASTER & LANCASTER LAW FIRM, PLLC**, and for her motion states:

1. That the plaintiff has pursued a paternity and support action against the defendant to obtain support for the parties’ minor child.
2. That the plaintiff has incurred attorney’s fees in the amount of \$10,190.00. *See* Ex. 1 (attached).
3. That the plaintiff has incurred costs in the amount of \$867.80. *Id.*
4. That the total attorney’s fees and costs incurred by the plaintiff is \$11,057.80. *Id.*
5. That these costs include travel expenses related to the recent DNA test conducted in Oklahoma City, Oklahoma, on November 8, 2019.
6. That the plaintiff has been forced to incur these attorney’s fees and costs as a direct result of the defendant’s refusal to continue to support his child and the course of the litigation in this case.

7. That this Court should award the plaintiff attorney's fees and costs in the amount of \$11,057.80.

WHEREFORE the plaintiff moves this honorable Court for an award of attorney's fees and costs and for all other just and proper relief to which she might be entitled.

INCORPORATED BRIEF

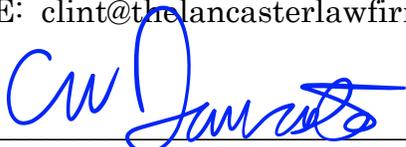
It is long established law in Arkansas that the circuit court has the inherent power to award attorney's fees in domestic relations proceedings. *Hargis v. Hargis*, 2019 Ark. 321, 4, --- S.W.3d --- (2019) (court of appeals opinion vacated) (citing *Artman v. Hoy*, 370 Ark. 131, 137, 257 S.W.3d 864, 869 (2007)). The circuit court's superior perspective in determining whether to award attorney's fees is due to its intimate acquaintance with the record and the quality of services rendered. *Id.*, --- S.W.3d --- (citing *Foster v. Foster*, 2016 Ark. 456, at 16-17, 506 S.W.3d 808, 818). The decision to award attorney's fees is a matter within the circuit court's discretion, and, absent a clear abuse of that discretion, an award of attorney's fees will not be disturbed on appeal. *Id.*, --- S.W.3d --- (citing *Baber v. Baber*, 2011 Ark. 40, at 16, 378 S.W.3d 699, 708). Discretion is abused when it is exercised improvidently, thoughtlessly, and without due consideration. *Id.*, --- S.W.3d --- (citing *Stephens Production Co. v. Mainer*, 2019 Ark. 118, at 5, 571 S.W.3d 905, 908).

Respectfully Submitted,

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By: 

Jennifer M. Lancaster, 2011178
Clinton W. Lancaster, 2011179

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been delivered by the below method to the following person or persons:

First Class Mail Facsimile Email AOC/ECF Hand Delivery

Bart Calhoun
bcalhoun@mrcfirm.com

Jessica D. Johnston
jessica@bdjlawoffice.com

Dustin McDaniel
dmcdaniel@mrcfirm.com

on this 20 DAY of NOVEMBER, 2019.



Clinton W. Lancaster

ROBERTS v. BIDEN

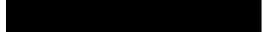
EXHIBIT NO. 1

CLIENT ACTIVITY AND EXPENSE LIST

Activities Export

11/19/2019

8:24 PM

Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
11/14/2019		Client Based Activity: Edited and redacted orders. Email to OC. SMS to client.  Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
11/14/2019		Tele/Email Interaction:   Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.40h	0.00	-	0.00
11/14/2019		Tele/Email Interaction: TC to client. Left VM.  Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	0.00	-	0.00
11/14/2019		Tele/Email Interaction: TC to client. Left VM  Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	0.00	-	0.00
11/14/2019		Tele/Email Interaction: TC with OC re:   Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
11/12/2019		DLD (Drafted Litigation Docs).: Drafted motion to seal. Drafted order to seal. Drafted paternity order. Research on WL Next.  Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	1.50h	250.00	-	375.00
11/11/2019		DLD (Drafted Litigation Docs).:   Billed invoice 11164	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
11/11/2019		Multi Activity Entry: Fax Document Instructions from ATTY.	02578-Roberts.Lunden(32DR 32DR	Ruthie Murphy	0.20h	75.00	-	15.00
							\$0.00 0.0h	\$11,057.80 48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		Faxed documents. Sent fax confirmation to ATTY. ● Billed invoice 11164						
11/10/2019	⌚	Time at location observing paternity testing procedure. Text exchange w/ C x4 ● Billed invoice 11116	02578-Roberts.Lunden(32DR 32DR	Jennifer Lancaster	6.50h	0.00	-	0.00
11/09/2019	⌚	Travel: Travel from OKC to Little Rock ● Billed invoice 11116	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	5.00h	250.00	-	1,250.00
11/09/2019	⌚	Multi Activity Entry: DNA testing in OKC. ● Billed invoice 11116	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	5.10h	250.00	-	1,275.00
11/08/2019	⌚	Travel: Travel to OKC from Little Rock ● Billed invoice 11116	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	5.00h	250.00	-	1,250.00
11/05/2019	⌚	Tele/Email Interaction: SMS with client. [REDACTED] ● Billed invoice 11116	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
10/31/2019	⌚	LLF Related Activity: Booked hotel for travel. ● Billed invoice 11062	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
10/31/2019	⌚	Tele/Email Interaction: SMS with client re: testing issues. File review. ● Billed invoice 11062	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
							\$0.00	\$11,057.80
							0.0h	48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
10/31/2019		Tele/Email Interaction: TC with DNA lab. Email to DNA lab. SMS to client. Billed invoice 11062	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
10/29/2019		Tele/Email Interaction: TC with OC re: confirmed lab testing in OKC. SMS with client. Billed invoice 11062	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
10/22/2019		Tele/Email Interaction: TC with Dustin McDaniel x 2. Email to DNA Solutions. TC to DNA Solutions. SMS and email to client. Billed invoice 10979	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
10/21/2019		Client Based Activity: File review. Verify response was filed. Email exchange with client re: update on response. Billed invoice 10979	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
10/11/2019		Tele/Email Interaction: Email to OC. TC to OC re: status. Billed invoice 10806	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
10/11/2019		Client Based Activity: [REDACTED] Billed invoice 10806	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
10/08/2019		Tele/Email Interaction: SMS with client. TC with Bart. TC with OKC lab. TC with [REDACTED]	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.80h	250.00	-	200.00
							\$0.00	\$11,057.80
							0.0h	48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		Email from OKC lab. FWD to Bart. Email to OC re: DNA options. ● Billed invoice 10806						
10/08/2019	⌚	Client Based Activity: Print motion, notice of hearing, trial setting sheet. Letter to clerk. Mailing. ● Billed invoice 10806	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
10/07/2019	⌚	DLD (Drafted Litigation Docs): Drafted trial setting sheet. Drafted notice of hearing. Email to case coordinator. ● Billed invoice 10806	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
10/07/2019	⌚	Tele/Email Interaction: TC with Bart Calhoun. SMS and phone call with client. ● Billed invoice 10806	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
09/26/2019	⌚	Tele/Email Interaction: TC with ██████████ ██████████. Listened to Cotton audio. SMS to client. ● Billed invoice 10635	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
09/25/2019	⌚	Multi Activity Entry: TC with Inside Edition. TC with client. TC with ██████████. Email to OC re: hearing dates. Rev. discovery responses. Drafted letter to OC re: good faith attempt. Sent motion for DNA testing. Letter to clerk. Drafted motion to appear by telephone. Letter to clerk. Mailings. Calendar deadlines.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	3.00h	250.00	-	750.00
							\$0.00	\$11,057.80
							0.0h	48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		● Billed invoice 10635						
09/20/2019	⌵	Multi Activity Entry: TC with media. SMS with [REDACTED] and documents.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
		● Billed invoice 10527						
08/30/2019	⌵	Multi Activity Entry: TC with [REDACTED] TC with client. Update to file.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.90h	250.00	-	225.00
		● Billed invoice 10227						
08/21/2019	⌵	DLD (Drafted Litigation Docs).: Drafted first ints. Email to OC re: ints.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
		● Billed invoice 10078						
08/21/2019	⌵	Tele/Email Interaction: TC with Ark. Demo Zette.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	0.00	-	0.00
		● Billed invoice 10078						
08/21/2019	⌵	Tele/Email Interaction: Email [REDACTED] re: depo.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
		● Billed invoice 10078						
08/20/2019	⌵	Tele/Email Interaction: Email exchange with OC re: set hearing.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
		● Billed invoice 10078						
08/19/2019	⌵	Client Based Activity: Rev. pleading from OC. TC to court. Req. dates. TC to OC. Email to OC re: hearing dates.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
		● Billed invoice 10078						

\$0.00 **\$11,057.80**
0.0h 48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
08/02/2019		Client Based Activity: Email from We Serve. Letter to clerk. Mailing for filing.  Billed invoice 9744	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
07/29/2019		Client Based Activity: Created mailing x 2. Drafted affidavit x 2. Email to process server. Mailing to court.  Billed invoice 9744	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.80h	250.00	-	200.00
07/29/2019		Notary Fee for Process Server Affidavit.  Billed invoice 9744	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	1.00	30.00	-	30.00
07/29/2019		LLF Related Activity: Notarize docs  Billed invoice 9744	02578-Roberts.Lunden(32DR 32DR	Kelly McElhane	0.10h	100.00	-	10.00
07/24/2019		Tele/Email Interaction: Email exchange with process server re: service.  Billed invoice 9635	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
07/24/2019		Client Based Activity: Prep. return of service for filing. Letter to clerk. Mailing to clerk.  Billed invoice 9635	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
07/23/2019		Client Based Activity: Update file RE: Empire report and invoice.  Billed invoice 9635	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
07/23/2019		Empire Pacific Investigative Services (Pl. Attempt to locate and serve Biden).	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	1.00	467.80	-	467.80

\$0.00 **\$11,057.80**
0.0h 48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		● Billed invoice 9635						
07/17/2019	⌵	Multi Activity Entry: Email from process server. SMS to client. Email to PI. Research re: location of Biden. Secondary address found in Malibu. ● Billed invoice 9510	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.60h	250.00	-	150.00
07/02/2019	⌵	Tele/Email Interaction: TC with client re: media and update. ● Billed invoice 9215	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
07/01/2019	⌵	Tele/Email Interaction: SMS with Frank Lockwood. ● Billed invoice 9215	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
07/01/2019	⌵	Client Based Activity: Reserach on WL Edge re: R. 4.4 ● Billed invoice 9215	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.40h	250.00	-	100.00
07/01/2019	⌵	Client Based Activity: Read New Yorker article. ● Billed invoice 9215	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.40h	250.00	-	100.00
07/01/2019	⌵	Client Based Activity: Obtain report and information on Melissa Cohen. Share with client. ● Billed invoice 9215	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
06/25/2019	⌵	Multi Activity Entry: TC with client. TC with New Yorker. ● Billed invoice 9053	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
							\$0.00	\$11,057.80
							0.0h	48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
06/20/2019		Client Based Activity: Rpt. from PL re: media inquiry.  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
06/20/2019		Client Based Activity: Meeting with MP and support staff re: media comments.  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
06/19/2019		Client Based Activity: TC and SMS with Frank Lockwood.  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
06/19/2019		Multi Activity Entry: TC with client re: [REDACTED]  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.30h	250.00	-	75.00
06/18/2019		Fee for expedited service.  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	1.00	175.00	-	175.00
06/18/2019		Service of Process Fee.  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	1.00	140.00	-	140.00
06/18/2019		Skip Trace-Process Server  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	1.00	55.00	-	55.00
06/18/2019		Multi Activity Entry: EE w/ Process Server re: skip trace Pay bill and update case file  Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	0.20h	100.00	-	20.00
06/17/2019		Client Based Activity: Compile information about Hunter and Melissa's location.	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00

\$0.00
0.0h **\$11,057.80**
48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		● Billed invoice 8890						
06/17/2019	⌵	Tele/Email Interaction: Email exchange with client. Email to George Maiseras. ● Billed invoice 8890	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.10h	250.00	-	25.00
06/13/2019	⌵	Client Based Activity: Research re: Biden's location. ● Billed invoice 8710	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
06/12/2019	⌵	Tele/Email Interaction: Email from client re: [REDACTED] ● Billed invoice 8710	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.50h	250.00	-	125.00
06/07/2019	⌵	Tele/Email Interaction: TC with George Mesires re: attorney for Hunter Biden. TC with client re: update. ● Billed invoice 8710	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.40h	250.00	-	100.00
06/07/2019	⌵	Multi Activity Entry: Report to ATT re: Client Contact ● Billed invoice 8710	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	0.10h	100.00	-	10.00
06/07/2019	⌵	Tele/Email Interaction: TC with AP Washington. No comment. ● Billed invoice 8561	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
06/07/2019	⌵	Client Based Activity: Report from C/Report to C Report to ATT	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	0.10h	100.00	-	10.00

\$0.00 **\$11,057.80**
0.0h 48.9h

Activities Export

11/19/2019

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Date	Type	Description	Matter	User	Qty	Rate (\$)	Non-billable (\$)	Billable (\$)
		● Billed invoice 8561						
06/06/2019	⌵	Tele/Email Interaction: Email exchange with [REDACTED] ● Billed invoice 8561	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	0.20h	250.00	-	50.00
06/04/2019	⌵	- ● Billed invoice 8561	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	0.10h	100.00	-	10.00
06/04/2019	⌵	Multi Activity Entry: Text w/ C re: update ● Billed invoice 8561	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	0.10h	100.00	-	10.00
06/04/2019	⌵	Multi Activity Entry: PC from C Review case file Meeting with ATT Follow up with C ● Billed invoice 8561	02578-Roberts.Lunden(32DR 32DR	Michelle Burrows	0.30h	100.00	-	30.00
05/24/2019	⌵	Multi Activity Entry: Internal file creation. SMS and TC with client. Drafted petition. Created cover sheets. Created summonses. Letter to clerk. Prep for filing. Mailing. Scan and save. Email to client. Update file. SMS to client. ● Billed invoice 8443	02578-Roberts.Lunden(32DR 32DR	Clinton Lancaster	2.70h	250.00	-	675.00
							\$0.00	\$11,057.80
							0.0h	48.9h