

Eliot I. Bernstein, Esq. 10158 Stonehenge Circle, #801 Boynton Beach, Florida 33437-3546 IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO. 502001CA004671XXCDAB

PROSKAUER ROSE LLP, a New York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation, IVIEWIT HOLDINGS, INC., a Delaware corporation, and IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.	
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FINAL JUDGMENT

THIS MATTER was tried before the Court on November 13, 2003 after the entry of defaults against Defendants Iviewit.com, Inc., Iviewit Holdings, Inc., and Iviewit Technologies, Inc. ("Iviewit"). Based on the evidence presented, the Court hereby finds as follows:

Proskauer Rose LLP's ("Proskauer") open invoices for legal services totaled \$369,460.97 ("Open Invoices") (Plaintiff's Composite Exh. 1). This sum is comprised of \$357,106.63 in attorneys' fees and \$12,354.34 in costs. The Open Invoices are unpaid to date, and all the legal services detailed in the Open Invoices were performed for Iviewit and at Iviewit's request. The number of hours billed to Iviewit as reflected in the Open Invoices are as follows:

Hours billed by Christopher Wheeler:	213.75
Hours billed by other Proskauer Partners:	6.6
Hours billed by Senior Counsel:	290
Hours billed by Associates:	977.5
Hours billed by Legal Assistants:	604.25
Hours billed by Library Staff:	4

(Plaintiff's Exhibit 3). The hourly rates (which changed once during the time period covered by the Open Invoices) of the Proskauer attorneys, as reflected in Plaintiff's Exhibit 4, ranged from \$135 to \$600 per hour. The hourly rates of the legal assistants and library staff whose time entries appear on the Open Invoices are also set forth in Plaintiff's Exhibit 4.

Based upon the evidence before the Court, the Court finds as follows:

- a. The number of hours billed by Proskauer attorneys and legal assistants as reflected in the Open Invoices are reasonable and were necessary to the representation of Iviewit;
- b. The hourly rates for the Proskauer attorneys and legal assistants whose billing entries appear in the Open Invoices are reasonable;
- c. The 4 hours billed by library staff as reflected in the Open Invoices (totaling \$485.00) should more properly be classified as a cost and the Court declines to award Proskauer any sum for those services; and
- d. Therefore, the sum of \$368,975.97 (comprised of \$356,621.63 in attorneys' fees and \$12,354.34 in costs) is a reasonable fee for the work performed as reflected in the Open Invoices.

Therefore, it is hereby **ADJUDGED** that Plaintiff, Proskauer Rose LLP, whose address is 2255 Glades Road, Suite 340-West, Boca Raton, Florida 33431, recover from Defendants Iviewit.com, Inc., Iviewit Holdings, Inc., and Iviewit Technologies, Inc., whose address is c/o

Case No. 502001CA004671XXCDAB Final Judgment

Eliot I. Bernstein, 10158 Stonehenge Circle, #801, Boynton Beach, Florida 33437-3546, jointly and severally, the sum of \$368,975.97 on principal, plus \$75,956.43 for interest to the date of this Final Judgment, making a total of \$444,932.40, that shall bear interest at the legal rate, for which let execution issue forthwith.

ORDERED at West Palm Beach, Palm Beach County, Florida this ____ day of November, 2003.

Honorable Jorge Labarga
Circuit Court Judge

Copies furnished to:

Matthew Triggs and Christopher Prusaski, Proskauer Rose LLP, 2255 Glades Road, Suite 340-West, Boca Raton, Florida 33431; and

Eliot I. Bernstein, 10158 Stonehenge Circle, #801, Boynton Beach, Florida 33437-3546.