

INVOICE REVIEW

CONTRACTOR: _____

CASE NAME: _____

LAW FIRM: _____ INVOICE DATE: _____

DATES OF SERVICE: FROM _____ TO _____

This invoice was reviewed by DOE Contractor _____, and by DOE COR on _____.

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| Y | N | 1. | The retainer agreement has been reviewed and it meets the requirements of Acquisition Letter No. 94-13. | |
| Y | N | 2. | The invoice contains the following certification signed by a representative of the law firm:

Under penalty of law, [the representative] acknowledges the expectation that the bill will be paid by the [the Contractor] and that [the Contractor] will be reimbursed by the Federal Government through the U.S. Department of Energy, and based on personal knowledge and a good faith belief, certifies that the bill is truthful and accurate, and that the services and charges set forth herein comply with the retainer agreement and the policies set forth in Acquisition Letter No. 94-13, and that the costs and charges set forth herein are necessary for the litigation. | |
| Y | N | NA | 3. | No overhead or profit is assessed. |
| Y | N | NA | 4. | No markups are assessed for supplies or services procured from third parties. |
| Y | N | NA | 5. | No interest incurred on any outstanding (unpaid) bills is assessed. |
| Y | N | NA | 6. | No charges are assessed for late payment of invoices. |
| Y | N | NA | 7. | No travel by more than one person from an outside law or consulting firm to attend a deposition, court hearing, interview or meeting has been assessed unless authorized by Contractor counsel. |
| Y | N | NA | 8. | Travel charges have been billed as follows:

* Air travel is assessed at actual cost and does not exceed the coach class fare.

* Local ground travel is assessed at actual cost of the taxi service (or the existing Internal Revenue Service mileage deduction allowance if a personal automobile is used).

* Meals, lodging and rental costs are moderate. No charges are assessed for luxury hotels, cars, or services, such as movies and fitness facilities.

* Travel time is billed at the full rate when such travel occurs during normal working hours, or after normal working hours if the Attorney was performing work for the Contractor.

* Travel time is billed at fifty percent (50%) of the attorney's normal rate when such travel occurs outside normal working hours and the Attorney was not performing work for the Contractor.

* Work devoted to one or more clients in addition to the Contractor has only been billed to the Contractor for the Contractor's proportionate time. (Work done for another client in transit has not been billed to the Contractor.)

* Lodging expense in Nassau and Suffolk Counties has not been billed, unless advance approval has been given by the Supervising Attorney. |

- Y N NA 9. Copying charges do not exceed ten cents a page unless supported by a cost study and approved in advance by the Contracting Officer.
- Y N NA 10. Charges for telephone calls, including facsimile transmissions, do not exceed the actual charge for each call.
- Y N NA 11. Computer-assisted research charges do not exceed the actual cost.
- ☺ Y N NA 12. No charges are assessed for consultants who are employees of another DOE contractor.
- Y N NA 13. No secretarial and clerical overtime or costs of temporary support personnel are assessed unless approved in advance by the Contracting Officer, or unless the cost is caused or required by an emergency situation not of the University's or the firm's making.
- Y N NA 14. The names of the attorneys and paralegals and rate charges are consistent with the Retainer Agreement and/or approved rate schedules.
- ☺ Y N NA 15. No charges are assessed for secretarial-type work by attorneys or paralegals.
- ☺ Y N NA 16. There are explanations for attorneys billing substantially more than eight hours per day when not engaged in trial or twelve hours per day when engaged in trial.
- ☺ Y N NA 17. Attorneys are not spending unreasonable amounts of time reading background information, reviewing research or case law, or reviewing files.
- ☺ Y N NA 18. Attorneys and/or paralegals are not researching the same issue.
- ☺ Y N NA 19. If changes in attorneys have occurred, charges are not assessed for the new attorneys' "learning curve."
- ☺ Y N NA 20. Charges are related only to the pertinent litigation.
- Y N NA 21. Charges are not assessed for transmission of facsimiles between various offices of the law firm.
- Y N NA 22. The law firm has approval to establish any databases for which charges are assessed.
- Y N NA 23. Charges for expert witnesses and consultants do not exceed actual cost.
- Y N NA 24. Charges have not been assessed for food, beverages and the like when an attorney or consultant is not on travel status and away from the home office. (An exception may be made for reasonable expenses for working meals during an in-house meeting not in excess for \$10 per person.) Charges for the benefit of an Contractor employee, such as meals or lodging have not been assessed.
- Y N NA 25. Charges for the following miscellaneous items have not been assessed.
- * entertainment
 - * alcoholic beverages
 - * word processing
 - * computers or general application software
 - * client development and related activities
 - * trade publication, books, treaties, background materials, and other similar documents
 - * professional/educational seminars and conferences
 - * preparation of bills
 - * parking fines or other fines or penalties for illegal conduct
- ☺ Y N NA 26. The charges appear to be reasonable for the services performed and the services appear to be necessary for the litigation.