



1. I am an attorney at Steel Rives LLP, and counsel of record for Defendant Micron Electronics, Inc., now known as Interland, Inc. (the "Defendant"). I am familiar with this case and make this affidavit based on my own knowledge. I submit this affidavit in support of Defendant's petition for costs and attorneys' fees regarding the Court's Order (Docket No. 296) (the "Order").

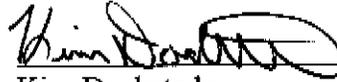
2. I have reviewed Steel Rives' past and anticipated billings to the Defendant in this matter. From those billings, I have identified the following sums for reasonable attorneys' fees and costs associated with each of the items identified by the Court in the Order: (1) Attorneys' Fees: \$5,832.00; and (2) Costs: \$43.20.

3. The above sum for attorneys' fees represents time incurred by counsel in (1) preparing Defendant's motion to strike Plaintiffs' statement of material facts (Docket No. 242); (2) preparing the brief accompanying the motion to strike Plaintiffs' statement of material facts (Docket No. 243); (3) preparing Defendant's motion to strike Plaintiffs' statement of undisputed facts (Docket No. 266); and (4) preparing Defendant's brief accompanying the motion to strike Plaintiffs' statement of undisputed facts (Docket No. 267). Attached as Exhibit A is a summary of the time billed by counsel for services rendered with respect to these components, as well as the relevant cost item.

4. To the best of my knowledge and belief, the attorneys' fees and costs set forth are true and correctly stated, are reasonable and were necessarily incurred in this matter.

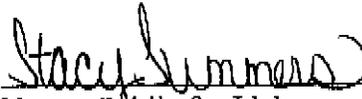
I declare under penalty of perjury that the foregoing is true and correct.

DATED this 29<sup>th</sup> day of October, 2004.



Kim Dockstader

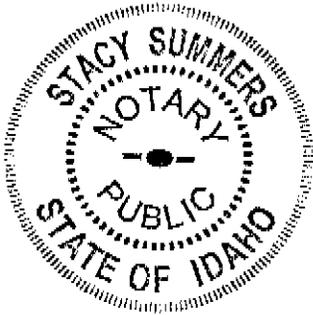
SUBSCRIBED AND SWORN to before me this 29th day of October, 2004.



Notary Public for Idaho

Residing in: Ada County

My Commission Expires: 09/28/06



**AFFIDAVIT OF KIM DOCKSTADER IN SUPPORT OF PETITION FOR COSTS AND ATTORNEYS' FEES - 3**

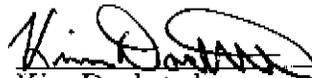
Boise-177354.1 0026493-00046

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29th day of October, 2004, I caused to be served a true copy of the foregoing **AFFIDAVIT OF KIM DOCKSTADER IN SUPPORT OF PETITION FOR COSTS AND ATTORNEYS' FEES** by the method indicated below, addressed to the following:

William H. Thomas  
Daniel E. Williams  
Christopher F. Huntley  
HUNTLEY PARK LLP  
250 South Fifth Street  
PO Box 2188  
Boise, Idaho 83701-2188  
Fax: 208 345 7894

- Via U. S. Mail
- Via Hand-Delivery
- Via Overnight Delivery
- Via Facsimile

  
\_\_\_\_\_  
Kim Dockstader

**EXHIBIT A**

<b>ATTORNEY'S FEES: Greg C. Tollefson @ \$210 per hour</b>		
<b>Date</b>	<b>Narrative</b>	<b>Time</b>
08/02/04	Draft motion to strike statement of material facts; research and analysis re same	2.2
08/03/04	Continue drafting motion to strike statement of material facts; research and analysis re same; assignments re same	4.0
08/17/04	Work on briefing in support of motion to strike	1.0
08/24/04	Work on memorandum to strike statement of facts; finalize and prepare for filing	2.5
<b>SUBTOTAL: 9.7 hours x \$210/hr= \$2,037.00</b>		

<b>ATTORNEY'S FEES: Kira D. Pfisterer @ \$150 per hour</b>		
<b>Date</b>	<b>Narrative</b>	<b>Time</b>
08/03/04	Edit and prepare motion to strike affidavits for filing	1.1
08/12/04	Draft memorandum in support of motion to strike	3.6
08/13/04	Research and draft memorandum in support of motion to strike	1.4
08/14/04	Review deposition testimony for motion to strike and statement of facts in opposition to motion for partial summary judgment	2.5
08/15/04	Continue reviewing depositions and draft memorandum in support of motion to strike	1.3
08/16/04	Continue reviewing depositions and draft memorandum in support of motion to strike	4.6
08/17/04	Review depositions and draft memorandum in support of motion to strike	3.9
08/18/04	Edit motion to strike	2.5
08/20/04	Prepare motion to strike and all supporting documents in anticipation of filing; interoffice conferences re: same	4.4
<b>SUBTOTAL: 25.3 hours x \$150/hr = \$3,795.00</b>		

<b>COSTS</b>		
	Photocopies: 216 pages x \$.20 = \$43.20	\$43.20
<b>SUBTOTAL: \$43.20</b>		

<b>TOTAL: ATTORNEYS' FEES &amp; COSTS</b>		<b>\$5,875.20</b>
---	--	-------------------