

179-2718  
1978  
103  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

-against-

NOTICE OF MOTION

Indictment No. 2673/77

DAVID R. BERKOWITZ,

Defendant.

-----X  
S I R S:

PLEASE TAKE NOTICE, that upon the annexed affirmation of LEON STEIN, ESQ. and IRA J. JULYAK, ESQ., attorneys for the defendant, DAVID R. BERKOWITZ, dated the 14th day of September, 1978, upon the Kings County Indictment, bearing number 2673/77, the Queens County Indictments, bearing numbers 1709/77, 1710/77, 1711/77, 1712/77 and 1713/77, and the Bronx County Indictments, bearing numbers 1546/77 and 1547/77, upon the Exhibits annexed hereto, and upon all of the pleadings and proceedings heretofore had herein, the undersigned will move this Court, before the Honorable Joseph R. Corso, to be held at the Courthouse, located at the Civic Center, Montague Street, Brooklyn, New York, on the 29th day of September, 1978, at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for

*Motion was  
Submitted on  
9/29. - no appearance  
no argument  
S.S. 9/29/78*

an Order to be made and entered herein by each of the Counties of Kings, Queens and the Bronx of the City and State of New York, assigning LEON STERN, ESQ. and IRA J. JULYAK, ESQ., as counsel for the defendant, DAVID R. BERKOWITZ, in all of the above-named and numbered Indictments, "MUMI PRO TUNC", as of August 11, 1977, and directing the payment of the sum of \$75,000.00 to be divided equally between said Counties to LEON STERN, ESQ. and IRA J. JULYAK, ESQ., in payment of their fees and disbursements for professional services rendered in these cases, and for such other and further relief as to this Court may seem just and proper in the premises.

Dated: Mineola, New York  
September 14, 1978

Yours, etc.,

LEON STERN, ESQ. and  
IRA J. JULYAK, ESQ.  
Attorneys for Defendant  
Office & P.O. Address  
82 Main Street  
Mineola, New York 11501  
(516) 741-7765

TO: HON. EUGENE GOLD  
District Attorney, Kings County  
Civic Center  
Montague Street  
Brooklyn, New York 11201

HON. JOHN SANTUCCI  
District Attorney  
County of Queens  
125-01 Queens Boulevard  
Kew Gardens, New York  
11415

HON. MARIO MEROLA  
District Attorney, Bronx County  
851 Grand Concourse  
Bronx, New York 10451

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

-against-

AFFIRMATION

DAVID R. BERKOWITZ,

Defendant.  
-----X

LEON STERN and IRA J. JULYAK, attorneys duly admitted to practice law in the Courts of the State of New York, under the penalties of perjury, hereby affirm as follows:

We are the attorneys of record for the above-named defendant, DAVID R. BERKOWITZ, also known as the Son of Sam, in connection with the following Indictments:

- (a) Kings County Indictment No. 2673/77;
- (b) Queens County Indictment Nos. 1709/77, 1710/77, 1711/77, 1712/77 and 1713/77; and
- (c) Bronx County Indictment Nos. 1546/77 and 1547/77;

in which the said defendant was charged with multiple homicides, felonious assaults and possession of a dangerous weapon.

That we were involved in the defense of DAVID R. BERKOWITZ in connection with said Indictments from arraignment

through final disposition, judgment having been entered following sentence thereon on the 12th day of June, 1978 by the trial judges assigned to these cases in each of said Counties.

That this is an application to be assigned, nunc pro tunc, from the date of the original arraignment of said defendant in Kings County on the Kings County Indictment on the 11th day of August, 1977, up to and including the date of sentence, to wit: the 12th day of June, 1978. In furtherance of the relief requested in this application, your affirmants respectfully allege as follows:

1. That your affirmants were retained to represent the above-named defendant by Nathan Berkowitz, the father of the defendant, on the 11th day of August, 1977, in connection with all of the aforesaid Indictments and all of the crimes therein contained. A retainer agreement was executed by the father of said defendant, to wit: Nathan Berkowitz, a copy of which is annexed hereto, made a part hereof, and marked Exhibit "A". The Court will note that said retainer provided for an initial fee of \$3,000.00, which was all the father could afford to pay, since he was and is of limited funds; is retired; and had no other financial means available to him with which to pay a reasonable fee for the defense of his son in these multiple homicides and

crimes. In addition thereto, the retainer further provided that should any properties come into the possession of the father on behalf of the son, or on his own behalf, in connection with any publications, a contingent fee would then result in order that counsel may be adequately compensated from said funds for the defense of DAVID R. BERKOWITZ.

2. Needless to say, the defendant himself was totally and actually indigent in that he possessed no funds and had no visible means of making any payment directly or indirectly for his defense, exclusive of any property rights that may come into his possession resulting from publications, media, television and/or movie productions arising out of the incidents and history of his crimes.

3. That up to and including the present date, no additional funds for fees and/or disbursements other than the \$3,000.00 paid aforementioned was paid to your affirmants by Nathan Berkowitz, the defendant, and/or any one on his behalf.

4. That we have been in constant communication up to and including the present date with the said Nathan Berkowitz, father of the defendant, and he verily affirms, and has informed us that his financial condition has not changed. That he is still

totally unable to pay any additional monies for services rendered on behalf of the defendant, DAVID R. BERKOWITZ, and does not contemplate any remote possibility of having any further funds available in the future for said purpose.

In connection with the defense of the said defendant, on all of the Indictments mentioned, your affirmants, and their respective offices, have to this date in the rendering of professional services in the defense of said defendant, consumed in excess of 1259 hours; and almost exclusively, have spent the past year in connection with rendering said professional services. That annexed hereto, made a part hereof, and marked Exhibit "B", for the Court's perusal and edification, is a Schedule in detail setting forth the dates, nature and description of services rendered, and time spent on behalf of said DAVID R. BERKOWITZ, both in connection with the criminal Indictments returned against him, as well as all other legal services made mandatory by the nature and demands of this case in preserving his rights at all times during these proceedings.

The Court will note that not only were professional services rendered to the defendant in connection with the afore-said criminal Indictments, but all civil matters, including, but not limited to, application for the appointment of a conservator

for the defendant and numerous civil actions for wrongful death and personal injuries against him, required representation. There did come a time, however, that in all of these civil matters, your affirmants were ultimately substituted by the firm of Meyer, English, Cianciulli & Peires, P.C., of Mineola, New York, who became the attorneys for the conservator and undertook the defense of the civil actions hereinbefore noted.

That subsequent to judgment being entered and in order to continue to preserve the rights of the defendant, your affirmants filed Notices of Appeal, appealing from the judgments entered against him in all of the Counties, referable to all of said Indictments. The appeals are still pending; have not been perfected; and no briefs have been filed as yet.

Needless to say, the nature of these crimes, the attendant publicity, both press and other communication media, including, but not limited to, radio and television on a 24 hour basis, for a period from August 11, 1977, up to and including the present date, were notorious and never ending. Telephonic communications on a 24 hour basis from the press and communication media and their respective representatives who were relentless in the pursuit of headlines, resulted in your affirmants' offices not being able to function in any other matters in their

respective capacity as attorneys, and as a direct result, new business was lost, old business could not be concluded, and there was a direct correlation between these facts and a substantial loss of income during this past year.

Up to this time, your affirmants refrained from making any application before any of the Justices of the Supreme Court in any of the Counties wherein these Indictments were pending, to be assigned under 18b of the County Law, for the reasons that during this entire period and following the appointment of Nathan Berkowitz as conservator of the estate of the defendant, DAVID R. BERKOWITZ, it was contemplated and negotiations had been pending by the attorneys for said conservator for possible and future publication contracts concerning a book to be written and published, paperback rights, magazine rights, movie rights, etc., from which it was believed that substantial monies would be made available, from which it would be possible to be compensated for the professional services rendered to the defendant, without the necessity of having to impose upon the largess of the already overburdened taxpayers of the respective counties. Without going into the history of these negotiations concerning the making of contracts for the aforesaid property rights referable to said proposed publications, it would suffice to say, that the

attorneys for the conservator and the estate of DAVID R. BERKOWITZ were manifestly unsuccessful, did not result in any contracts being executed, and no such property rights were secured, nor does there appear to be even the remotest possibility at this time of there ever coming into being, any funds from which affirmants can reasonably expect to be paid for the services and/or to make application for an attorneys lien thereon.

That annexed hereto, made a part hereof, and marked Exhibit "C", is an affidavit of Robert M. Calica, Esq., one of the attorneys of the firm of Meyer, English, Cianciulli & Peires, P.C., who was the attorney responsible for the civil matters hereinmentioned, setting forth all of the details of the efforts of that office directly connected with the attempt to secure property rights for the defendant as heretofore set forth, supra.

That in consequence thereof and in conclusion, counsel has received the meager sum of \$3,000.00 for all of the professional services rendered in the defense of DAVID R. BERKOWITZ, also known as "Son of Sam", one of the most celebrated cases in the history of American criminal jurisprudence. It need not be said that said sum did not even cover the out of pocket expenses of counsel in the defense of their client, much less represent any kind of a fee in these meane cases.

Your affirmant, LEON STERN, ESQ., has been in practice in excess of twenty-five (25) years, having been admitted to the Bar of the State of New York in the Second Department, during the April term of the year 1953. That during said period, your affirmant was and continues to be engaged in a busy litigation practice, both of a criminal and civil nature. That during the years 1963 to 1968, he has also held public office, to wit: as an Assistant District Attorney and Senior Trial Assistant in Nassau County, New York. That in connection with said practice, I have personally tried literally and figuratively innumerable cases, including, but not limited to, homicide, as well as running the gamut of crimes contained in the Penal Law of the State of New York. In connection with my civil practice, I have been involved in litigating many thousands of cases. It is difficult and perhaps may be deemed immodest, but I believe must be said, "that I have enjoyed a most enviable reputation before the Bar of the State of New York. I have also been called upon as counsel in jurisdictions throughout the United States, both in the Federal and State Courts, particularly in connection with criminal matters of a most serious and heinous nature." In light of the experience mentioned, your affirmant, LEON STERN, ESQ., respectfully submits that his services on an hourly basis would be reasonably established at the sum of \$125.00 per hour.

Your affirmant, IRA J. JULTAK, ESQ., was admitted to the Bar of the State of New York in the Second Department, during the December term in the year 1969. That he, too, has been engaged in litigation and trial practice during his entire career as an attorney before the Bar of this State. That he has held public office as an Assistant District Attorney and Senior Trial Assistant in various counties and prosecutorial offices, including, but not limited to, Queens County District Attorney's Office, 1970-1972, 1974-1975; Suffolk County District Attorney's Office, 1972-73; Nassau County District Attys. Office, 1975-1977. That in pursuance of his functions in such public office, he, too, has tried countless and innumerable criminal cases as a prosecutor. In addition, during the period of July, 1977, through the present date, he has been engaged in private practice in conjunction with LEON STERN, ESQ., as an associate, and he has been involved in the defense of many criminal cases, as well as civil litigation. That your affirmant, IRA J. JULTAK, ESQ., also without equivocation, enjoys an enviable reputation amongst his colleagues, and the Bar of the State of New York. That in light of the experience of this affirmant, IRA J. JULTAK, ESQ., herein mentioned, it is respectfully submitted that a fee established at the rate of \$75.00 per hour would not be unreasonable, but indeed modest.

That in addition to the professional services and time spent and consumed by your affirmants, there was also required in pursuance of the responsibility of counsel in the defense of DAVID R. BERKOWITZ in these Indictments, that the services of other attorneys in this office associated with your affirmants spend their time and efforts, all of which are contained in the Schedule annexed hereto and marked Exhibit "B".

That for the reasons aforementioned, all of which speak for themselves, and which are most extraordinary and inordinate in nature and character, it is respectfully submitted that a fee in the sum of \$75,000.00 should be fixed and paid under Article 18b of the County Law of the State of New York, to be directed and paid in equal proportion within the Counties of Kings, Queens, and the Bronx, in the State of New York.

WHEREFORE, it is respectfully prayed that an Order be made and entered herein by each of the Counties of Kings, Queens and the Bronx of the City and State of New York, assigning LEON STERN, ESQ. and IRA J. JULYAN, ESQ., as counsel for the defendant, DAVID R. BERKOWITZ, in all of the above-named and numbered Indictments, "MURC PRO TUNC", as of August 11, 1977, and that said Order further direct the payment of the sum of

\$75,000.00 to be divided equally between said Counties to your  
affirmants, LEON STERN, ESQ. and IRA J. JULTAK, ESQ., in payment  
of their fees and disbursements for professional services  
rendered in these cases; and for such other and further relief  
as to this Court may seem just and proper in the premises.

Dated: Mineola, New York  
September 14, 1978

*S*

\_\_\_\_\_  
LEON STERN

*S*

\_\_\_\_\_  
IRA J. JULTAK

August 19, 1977

Ira J. Jultak, Esq.  
Leon Stern, Esq.  
82 Main Street  
Mineola, New York 11501

Re: People v. David Berkowitz  
and related matters

Dear Mr. Jultak and Mr. Stern:

In the early morning hours of Thursday, August 11, 1977, you received a telephonic communication from Harold Lerner, directing you to intervene as legal representatives of David Berkowitz in connection with his being charged in the County of Kings, Borough of Brooklyn, City and State of New York, with the crime of murder in the second degree and additional crimes further related to an incident which, for the sake of brevity, I shall call, "Moskowitz and Violante". You were recommended to me by Harold Lerner, for whom I have the utmost regard, respect, love and affection. I understand that you subsequently appeared on behalf of David Berkowitz in the Criminal Court of the City of New York for arraignment on these charges and that you subsequently and thereafter undertook with diligence and with due regard for David, myself and the entire family, to lend your best efforts professionally in connection with these matters. I hereby ratify each and every act that you performed prior to my arriving in New York from my home in Florida and hereby further authorize you to continue to act in the representative capacity as heretofore outlined.

To continue chronologically, I arrived in New York by air and landed at Kennedy at approximately 11 A.M. on Thursday, August 11, 1977. I was shortly thereafter brought to your office and saw you gentlemen upon your returning from Brooklyn after your having appeared as counsel for David in Court.

As previously stated, you informed me of each and every aspect of the proceedings that transpired; you gave me a full and complete review of the proceedings that would follow to the extent possible at these early stages; you informed me of the multitudinous

Px "A"

Page Two

August 19, 1977

Ira J. Jultak, Esq.

Leon Stern, Esq.

and vast amount of work, time and effort that would be required in order to properly represent David's interest and my own, all of which I am now fully cognizant and represent to you that I freely, voluntarily, of my own volition and without any hesitation or reservation, wish to have you continue as my counsel and as David's counsel.

You have now continued for upwards of a week in your representation; I know you have worked tirelessly around the clock, both in and out of Court, and with the press, media, TV and other communication agencies, all with a view towards preserving David's rights and enhancing and protecting my rights as the adopted father, both in the present and in the future.

In recognition of all your time and effort expended to date and to be expended in the future and for your professional representation, both on behalf of David and myself and the family, I agree and understand that you should be adequately compensated and all of your disbursements should be paid to you as soon as is practicable, so that you need not spend your own money on this case, as well as give of your most precious time. With respect to your disbursements, I have deposited with you the sum of \$3,000.00, from which sum you shall recompense yourself for your out of pocket expenses, until such time as this fund is exhausted.

In connection with any fees to be paid to you for past, present and future services, I agree to do the following:

1. (a) You shall be given Power of Attorney from me to represent me in connection with any rights, copyrights, license agreements, and any and all other interests that I may have now or secure in the future concerning publications of books, articles, stories, paperback and/or hardcover, magazines and/or newspaper and/or any other publication which may generate and result in any income to me.

- (b) Similarly, I shall on my behalf grant to you Power of Attorney to produce for radio, TV, movies, films, to publish foreign translations, to sell to book clubs, syndication rights, commercial rights, microfilm rights, filmscript rights, educational rights and any and all further rights concerning such dissemination of any material which may generate and result in income to me.

Page Three  
August 19, 1977  
Ira J. Jultak, Esq.  
Leon Stern, Esq.

2. (a) Said Power of Attorney shall be full and complete and co-extensive with any right granted thereunder, pursuant to the General Obligations Law of the State of New York, and in addition thereto, you as joint attorneys, pursuant to this Power of Attorney, shall have the uninterrupted right to enter into all contracts, agreements on my behalf, and to collect any and all monies resulting from sale or dissemination of any works and material heretofore mentioned and more specifically described above.

(b) You are further authorized to retain as and for your fees and services, past, present and future, a percentage of one-third (1/3) of any such amounts received, together with the return of any and all disbursements and expenses that you advance in connection with the litigation and your efforts with respect to the commercial transactions referred to herein. It is understood and agreed, however, that in no event shall I become responsible or liable to you gentlemen for any fees and expenses other than that contemplated herein.

I further recognize and have been informed that additional and further charges of a similar nature to that which arose in Kings County are being presented within other jurisdictions in the metropolitan area of New York, and that Indictments with respect to such mesne and diverse crimes are imminent.

It is contemplated by this agreement that you will further continue to represent David upon my authorization, in any and all of these criminal actions as they come up, until such time as all of David's legal proceedings are fully and completely concluded. I further agree to execute any and all instruments that may be required to effectuate the terms of this letter agreement, which I call my contract to you, and to which I hold myself, my heirs and assigns, liable in every respect.

I wish to express my sincere and personal thanks to you for the kind consideration that you have extended to me; for the courtesies and compassion that you have shown me; for the decency and the warmth that you have expressed and continue to do during this most horrendous and bitter experience of my life.

Page Four  
August 19, 1977  
Ira J. Jultak, Esq.  
Leon Stern, Esq.

Thanking you both and your staff again, I am

Very truly yours,

*Nathan Berkowitz*  
NATHAN BERKOWITZ

SCHEDULE OF SERVICES RENDERED

<u>DATE</u>	<u>LEON STERN</u> <u>(\$125 per hour)</u>	<u>IRA J. JULTAK</u> <u>(\$75 per hour)</u>	<u>ANDREW D. POLIN</u> <u>(\$50 per hour)</u>
8-11-77	Arrestment - Kings Interview with family 6 a.m. to 12 midnight 18 hours	Arrestment - Kings Interview with family 6 a.m. to 12 midnight 18 hours	Interview with the family 4 p.m. to 8 p.m. 4 hours
8-12-77	8 a.m. to 10 p.m. Press calls; further conv. with Nat Berkowitz; Judge Brown with Peltz 4 to 10 p.m. 14 hours	30 calls from press 11 hours	Judge Brown with Leon 4 p.m. to 10 p.m. 6 hours
8-13-77	Press conf. with Nat; went to Kings County with Nat 8 a.m. to 7 p.m. 11 hours	Press conference and preparation 8 a.m. to 4 p.m. 8 hours	Press conference 8 a.m. to 12 noon Kings County Hosp. with Leon & Nat 4 p.m. to 7 p.m. 11 hours
8-14-77	Conf. with Nat 3 hours	Conf. with Nat 3 hours	Conf. with Nat 3 hours
8-15-77	Calls from press and research 8 a.m. to 7 p.m. 11 hours	20 calls from press 8 a.m. to 7 p.m. 11 hours	Press calls 3 hours
8-16-77	Arrestment Meeting with Heller Press calls 10 hours	Arrestment Meeting with Heller 15 calls from Press 10 hours	Press calls 3 hours
8-17-77	Calls and conf. with family 4 hours	Calls and conf. with family 4 hours	Calls and conf. 4 hours
8-18-77	Calls and conf. 4 hours	Calls and conf. 4 hours	Calls and conf. 4 hours
8-19-77	Conf. and calls; research 3 hours	Conf. and calls; research 3 hours	Conf. and calls 3 hours

Ex "B"

DATE

LEON STERN

IRA J. JULIAK

ANDREW D. POLIN

-20-77	Conf. with Nat; 10 a.m. to 12 noon Conf. with Drs. Weidenbacher and Schwartz 12 noon to 6 p.m. 8 hours	Conf. with Nat 10 a.m. to 12 noon Conf. with Drs. Weidenbacher and Schwartz 12 noon to 6 p.m. 8 hours	Conf. with Nat 10 a.m. to 12 noon Conf. with Drs. Weidenbacher and Schwartz 12 noon to 6 p.m. 8 hours
-22-77	Arraignment - Qns. at Kings County Hosp. Conf. with defendant 6 hours	Arraignment - Qns. at Kings County Hosp. Conf. with defendant 6 hours	Conference 3 hours
-23-77	Conf. and calls 2 hours	Conf. and calls 2 hours	Conf. and calls 2 hours
-24-77	Arraignment - Bronx at Kings County Hosp. Telephone calls Visit defendant 5 1/2 hours	Arraignment - Bronx at Kings County Hosp. Telephone calls Visit defendant 5 1/2 hours	Conf. and calls 2 hours
-25 to -28-77	Conf. and prep. 10 hours	Conf. and prep. 10 hours	Conf. and prep. 10 hours
-27-77		Visit defendant 1/2 hour	Visit defendant 1/2 hour
-29-77	Kings County Hosp. Psyc. ret. Kings Calls and conf. Visit defendant 7 1/2 hours	Kings County Hosp. Psyc. ret. Kings Calls and conf. Visit defendant 7 1/2 hours	Calls and conf. 3 hours
-30-77	Calls and conf. 2 hours	Calls and conf. 2 hours	Calls and conf. 2 hours
-31-77			Part VI - Supreme Court - J. Ventiera Kings County 3 hours

<u>DATE</u>	<u>LEON STERN</u>	<u>IRA J. JUL TAK</u>	<u>ANDREW D. POLIN</u>
9-1-77	Ret. KCH - Qns. and conference 6 hours	Ret. KCH - Qns. and conference 6 hours	Part VI - Supreme Kings County; con Visit defendant 5 hours
9-2-77	Judge Mangamo's chambers with Heller re tapes; conference thereafter and review of tapes 10 a.m. to 4 p.m. 12 hours	Review tapes 4 p.m. to 10 p.m. 6 hours	Review tapes 4 p.m. to 10 p.m. 6 hours
9-3-77		Conf. with Nat 2 hours	
9-7-77	Judge Held - conf. on tapes 4 hours	Judge Held - conf. on tapes 4 hours	Conf. and research 2 hours
9-8-77	Conf. with Heller 1 hour	Conf. with Heller 1 hour	Conf. with Heller 1 hour
9-9-77	Conf. with Roz, Nat and Heller 3 hours	Conf. with Roz, Nat and Heller 3 hours	Conf. Roz, Nat and Heller 3 hours
9-12-77	Visit defendant 1 1/2 hours	Visit defendant 1 1/2 hours	Visit defendant 1 1/2 hours
9-14-77	Visit defendant 1 hour	Visit defendant 1 hour	
9-15-77	Conf. with family and defendant at Kings Cty. Hosp. 2 hours	Conf. with family and defendant at Kings Cty. Hosp. 2 hours	
9-17-77		Visit defendant 2 hours	Visit defendant 2 hours
9-19-77		Visit defendant 1 hour	Visit defendant 1 hour
9-20-77	Bronx conf. and app. Judge Kappelman Visit defendant 4 hours	Bronx conf. and app. Judge Kappelman Visit defendant 4 hours	

<u>DATE</u>	<u>LEON STERN</u>	<u>IRA J. JULTAK</u>	<u>ANDREW D. POLIN</u>
1-23-77	Dr. Abrahamsen with Nat 3 hours	Dr. Abrahamsen Nat 3 hours	Visit defendant 2 hours
1-24-77		Visit defendant 1 1/2 hours	Visit defendant 1 1/2 hours
1-27-77	Meeting with Schwartz 4 hours	Meeting with Schwartz Visit defendant 5 1/2 hours	Meeting with Dr. Abrahamsen at KCH 6 1/2 hours
1-28-77			Visit defendant 3 hours
1-30-77	Visit defendant 1 hour	Visit defendant 1 hour	
2-5-77	Conf. with [REDACTED] Demakos - Qns. DA 11 a.m. to 1 p.m. 2 hours	Conf. with [REDACTED] Demakos - Qns. DA 11 a.m. to 1 p.m. 2 hours	
2-5-77	Visit defendant 1 1/2 hours	Visit defendant 1 1/2 hours	
2-8-77		Visit defendant 2 hours	Visit defendant 2 hours
2-10-77	Conf. Meyer, English 2 hours	Conf. Meyer, English 2 hours	
2-10-77		Visit defendant 1 hour	Visit defendant 1 hour
2-11-77	Heller Order to Show Cause; hearing Judge Starkey 3 hours	Heller Order to Show Cause; hearing Judge Starkey 3 hours	
2-12-77	Queens app. Judge Dubin 3 1/2 hours	Queens app. Judge Dubin 3 1/2 hours	
2-14-77		Visit defendant 1 hour	Visit defendant 1 hour

<u>DATE</u>	<u>LEON STERN</u>	<u>IRA J. JULTAK</u>	<u>ANDREW D. POLIN</u>
10-17-77		Visit defendant 1 hour	Visit defendant 1 hour
10-20-77	Prep. for and conduct competency hearing Judge Starkey Visit defendant 16 1/2 hours	Prep. for and conduct competency hearing Judge Starkey Visit defendant 16 1/2 hours	
10-21-77	Competency hearing 8 hours	Competency hearing Visit defendant 9 hours	Visit defendant 1 hour
10-24-77		Visit defendant 1 1/2 hours	Visit defendant 1 1/2 hours
10-25-77	Conf. Kings 3 hours	Conf. Kings 3 hours	Visit defendant 1 hour
10-26-77		Visit defendant 2 hours	Visit defendant 2 hours
10-28-77	Visit defendant 1 hour	Visit defendant 1 hour	Research for: Prep. of Memorandum for Comp. Hearing 40 hours Motion to Change Venue 40 hours
10-31-77	Civil competency hearing 3 hours	Civil competency hearing 3 hours	Visit defendant 1 1/2 hours
11-1-77		Visit defendant 1 1/2 hours	
11-6-77	Visit defendant 2 1/2 hours	Visit defendant 2 1/2 hours	
11-9-77		Visit defendant 1 hour	Visit defendant 1 hour
11-10-77	Bronx conf. 3 hours	Bronx conf. 3 hours	
11-11-77		Visit defendant 1 hour	Visit defendant 1 hour

DATE

LEON STERN

IRA J. JULIAK

ANDREW D. POLIN

-12-77 Visit defendant  
1 hour

Visit defendant  
1 hour

-14-77 Calls and conf.  
1/2 hour

Supreme - Queens (Dubin)  
2 hour

Calls and conf.  
1 hour

-15-77 Calls and conf.  
1/2 hour

Calls and conf.  
1 hour

Calls and conf.  
1 hour

-16-77 Meeting with Meyer  
Visit defendant  
2 hours

Meeting with Meyer  
Visit defendant  
2 hours

Meeting with Meyer  
1 hour

-18-77 Conf. and calls  
1 hour

Conf. and calls  
1 hour

Conf. and calls  
1 hour

-19-77

Visit defendant  
1 hour

Visit defendant  
1 hour

-20-77 Research  
1/2 hour

Research  
1 hour

Reserach  
2 1/2 hours

-23-77

Visit defendant  
1 hour

Visit defendant  
1 hour

-25-77 Conf. and calls  
1 hour

Conf. and calls  
1 hour

Conf. and calls  
1/2 hour

-28-77 Meeting with DA  
Santucci  
1 hour

Supreme - Queens  
3 hours  
Meeting with DA  
Santucci  
1 hour

-29-77 Visit defendant  
1 hour

Visit defendant  
1 hour

-1-77 Conf. and calls  
1/2 hour

Conf. and calls  
1/2 hour

Conf. and calls  
1 hour

-5-77 Supreme - Kings  
3 hours  
Conf. and calls  
1/2 hour

Conf. and calls  
1/2 hour

Conf. and calls  
1/2 hour

LEON STERN

4-6-77

5-6-77 Review DA'S opposing papers, reply and memorandum  
1 hour

5-7-77 Conf. with Meyer  
1 hour  
Calls and conf.  
1 hour

5-8-77 Order to Show Cause  
2 hours

5-9-77

5-10-77 Reply  
2 hours

5-12-77 Calls and conf.  
Visit defendant  
2 hours

5-13-77

5-14-77 Office conf. Federal Injunction  
3 hours

5-15-77 Federal Court app.  
Visit defendant  
5 hours

5-16-77 Office conf. with Queens DA  
1 1/2 hours

IRA J. JULTAK

Visit defendant  
1 hour

Review DA'S opposing papers, reply and memorandum  
1 hour

Conf. with Meyer  
1 hour  
Calls and conf.  
1 hour

Order to Show Cause  
3 hours

Reply  
2 hours

Visit defendant  
1 hour

Prep. and research Injunction  
15 hours

Office conf. Federal Injunction  
3 hours

Federal Court app.  
Visit defendant  
5 hours

Office conf. with Queens DA  
1 1/2 hours

ANDREW D. POLIN

Visit defendant  
1 hour

Review DA'S opposing papers, reply and memorandum  
1 hour

Conf. with Meyer  
1 hour  
Calls and conf.  
1 hour

Order to Show Cause  
2 hours

Order to Show Cause  
5 hours

Reply and memorandum  
6 hours

Calls and conf. and research  
5 hours

Prep. and research Injunction  
15 hours

Office conf. Federal Injunction  
3 hours

Federal Court app.  
Visit defendant  
5 hours

Office conf. with Queens DA  
1 1/2 hours

<u>DATE</u>	<u>LEON STERN</u>	<u>IRA J. JULTAK</u>	<u>ANDREW D. POLIN</u>
12-17-77	Prep. Federal argument 2 hours	Prep. Federal argument 2 hours	Prep. Fed. argument 2 hours
12-19-77	Prep. Federal argument 1 hour	Prep. Federal argument 1 hour	Prep. Fed. argument 1 hour
12-20-77		Federal argument Visit defendant 5 hours	Federal argument Visit defendant 5 hours
12-23-77		Meeting with Dr. Lubin 5 hours	Prepare Order - Dr. Lubin 1 1/2 hours
12-27-77	Office meeting 1 hour	Conf. Judge Corso 5 hours	Office meeting 1 hour
12-30-77		Visit defendant 1 hour	Visit defendant 1 hour
1-3-78	Meeting - Dr. Lubin 1 hour	Meeting - Dr. Lubin 1 hour	Meeting - Dr. Lubin 1 hour
1-4-78		Conf. - Bronx Supreme Court 5 hours	Conf. - Bronx Supreme Court 5 hours
	Office meeting 1 hour	Office meeting 1 hour	Office meeting 1 hour
1-4 to 1-26-78	Prepare Omnibus Motion 15 hours	Prepare Omnibus Motion 15 hours	Prepare Omnibus Motion 15 hours
1-10-78		Visit defendant 1 1/2 hours	Visit defendant 1 1/2 hours
1-18-78		Visit defendant 1 hour	
1-21-78	Visit defendant 1 hour		Visit defendant 1 hour

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LEON STERN

IRA J. JULTAK

ANDREW D. POLIN

-27-78

Submit Motion and  
oral decision  
5 hours

-29-78

Visit defendant  
1 hour

-4-78

Visit defendant  
1/2 hour

-14-78

Fischer Order to  
Show Cause; meeting  
to prepare opposing  
papers  
8 hours

Fischer Order to  
Show Cause; meeting  
to prepare opposing  
papers .  
8 hours

Fischer Order to  
Show Cause; meeting  
to prepare opposing  
papers  
8 hours

-20-78

Visit defendant  
1 hour

-22-78

Meet Dr. Reynolds  
2 hours  
Queens appearance  
3 hours  
Visit defendant  
2. hours

Visit defendant  
2 hours

-27-78

Kings appearance  
re Fischer  
5 hours  
Office meeting  
2 hours

Kings appearance  
re Fischer  
5 hours  
Office meeting  
2 hours

Office meeting  
2 hours

.1-78

Visit defendant  
1 hour

.7-78

Visit defendant  
1/2 hour

10-78

Queens - Supreme Court  
3 hours

18-78

Visit defendant  
1 hour

<u>DATE</u>	<u>LEON STERN</u>	<u>IRA J. JULTAK</u>	<u>ANDREW D. POLIN</u>
26-78	Prepare Comp. Exam 8 hours	Prepare Comp. Exam 8 hours	Prepare Comp. Exam 8 hours
27-78	Kings County - Supreme Court - application to close Court 5 hours	Kings County - Supreme Court - application to close Court 5 hours	
28-78	Visit defendant 1 hour	Visit defendant 1 hour	Prepare for argu- ment 5 hours
30-78	Kings County - Supreme Court - hearing to close Court 5 hours	Kings County - Supreme Court - hearing to close Court 5 hours	
1-78		Visit defendant 1/2 hour	
8-78		Visit defendant 1/2 hour	
11-78	Prepare for Comp. Exam 15 hours	Prepare for Comp. Exam 15 hours	Prepare for Comp. Exam 5 hours
15-78		Visit defendant 1 hour	Visit defendant 1 hour
12 to 17-78	Competency Exam 30 hours Office meetings 5 hours	Competency Exam 30 hours Office meetings 5 hours	Office meetings 5 hours
14-78			Appellate Division Order to Show Cause (Fischer) 6 hours

<u>DATE</u>	<u>LEON STERN</u>	<u>IRA J. JULIAK</u>	<u>ANDREW D. POLIN</u>
-22-78		Visit defendant 1/2 hour	
-24-78	Supreme Court - Kings Comp. findings 4 hours	Supreme Court - Kings Comp. findings 4 hours	
-29-78		Visit defendant 1 hour	Visit defendant 1 hour
-3-78		Visit defendant 1 hour	
-6-78		Visit defendant 1 1/2 hours	
-8-78	Plea entered Supreme - Kings 8 hours	Plea entered Supreme - Kings 8 hours	
-18-78		Visit defendant 1 hour	Visit defendant 1 hour
-22-78	Attempt Sentence 6 hours	Attempt Sentence 6 hours	
-24-78		Visit defendant 1 hour	
-5-78		Visit defendant 1 hour	
-7-78		Visit defendant 1 hour	Visit defendant 1 hour
-12-78	Sentence 6 hours	Sentence 6 hours	
TOTAL HRS*	371 1/2	451	341

DOES NOT INCLUDE TRAVEL TIME FOR EACH VISIT WITH THE DEFENDANT AT THE KINGS COUNTY HOSPITAL (TO BROOKLYN FROM MINEOLA AND FROM BROOKLYN TO MINEOLA - ONE HOUR EACH WAY)

48 visits x 2 hours travelling time = 96 additional hours