

7-3-1973

Appellate Division Application for Payment

Lewis M. Steel '63

Law Offices

EISNER, LEVY & STEEL

351 Broadway

New York, New York 10013 / 966-9620

Eugene G. Eisner

Mary M. Kaufman

Richard A. Levy

Counsel

Lewis M. Steel

July 3, 1973

Office of the Clerk
Attention: Mr. Fontana
Supreme Court, Appellate Division
First Department
27 Madison Avenue
New York, N. Y. 10010

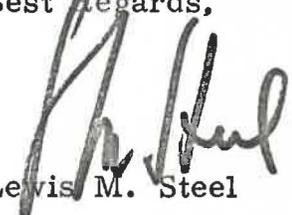
Re: People v. Maynard

Dear Mr. Fontana:

I enclose our voucher and a supporting affidavit for our work on the Maynard case.

I would appreciate your passing these on to the appropriate authority.

Best regards,



Lewis M. Steel

lms/wl

Enc.

VOUCHER FOR COMPENSATION AND EXPENSES OF APPOINTED COUNSEL UNDER ARTICLE 18-B OF THE COUNTY LAW

THE COMPTROLLER OF THE CITY OF NEW YORK

To Lewis M. Steel (Assigned Counsel)

351 Broadway, New York, N. Y. 10013 (Address - Street and City)

Pursuant to the authorization contained in the attached copy of the ORDER APPOINTING COUNSEL in the case of People of the State of New York, Respondent, against William A. Maynard, Jr., appellant, Appeal No. 5776, claim hereby is made for compensation and expenses of representation.

I. NATURE OF APPEAL Criminal AFFD [x] REVD [] MDDF []

II. DISPOSITION OF APPEAL

III. DID YOU REPRESENT APPELLANT IN LOWER COURT? Yes

IV. THE RECORD CONSISTED OF 7229 PAGES OF TESTIMONY AND 125 OTHER DOCUMENTS.

V. TIME SPENT IN OPEN COURT Date Sept. 26, 1972 No. of Hours 1

VI. TIME SPENT IN PREPARATION (OUT OF COURT) (a) Reviewing record on appeal 120 (b) Legal research and brief writing 670 (c) Other (Specify) (1) Reducing brief as per Court order 80 (2) Proofing and revising printed brief 15 (3) Preparation for oral argument 20 (4) Filing motions prior to submission of briefs 15

VII. EXPENSES OF REPRESENTATION (Itemize): (1) Zeroxing exhibits handed up to Court at argument \$ 115.11 (2) Payments to typists who worked on original 350pg.draft \$ 700.00 (3) Zeroxing reply brief \$ 38.64

VIII. If compensation and/or reimbursement for representation in this case has been applied for or received, so state:

AMOUNT CLAIM Partial Final [x] Item V 1 hrs. Item VI 920 hrs. Item VII \$ 853.75

Certified correct. Payment has not been received and, except as noted in Item VIII above, no payment or promise of payment has been requested or accepted for representing the above appellant. The undersigned, an attorney at law of the State of New York, as assigned counsel for the appellant aforesaid, affirms the foregoing to be true under penalty of perjury.

Dated: July 3, 1973 Lewis M. Steel Assigned Counsel

(THIS BOX FOR COURT USE ONLY) AMOUNT ALLOWED V VI VII Total

Dated: Presiding Justice of the Appellate Division, First Judicial Department

preparation of their brief.

3. Counsel spent approximately 120 hours reading this record. In researching the points of law which were suggested by this record, counsel read well over 300 cases and many other authorities. The research and writing of the original draft took approximately 4 months in which counsel spent 640 hours. This original draft was then written into final typewritten form; at this stage it was approximately 350 pages long and contained approximately 150 case citations as well as approximately 40 citations to other authorities. In this form it was submitted to the court in order to get a preliminary determination as to what length the court would find acceptable. By order of Mr. Justice Stevens, counsel revised the brief in order to limit its size. These revisions required the full time work of both myself and Mrs. Oberman for 5 days (approximately 80 hours) to reduce the brief down to 126 printed pages which was found acceptable by the court. Thereafter it took 15 additional hours to proof and revise the printed brief.

Counsel also submitted a 22 page reply brief to the 140 page brief submitted on behalf of the respondent. This reply took approximately 30 hours to research and prepare.

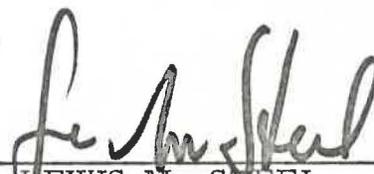
Preparation for oral argument took approximately 20 hours due to the length of the record and the size of the briefs filed by both parties.

Oral argument took one hour.

Counsel spent an additional 15 hours during the course of the appeal preparing and filing motions for extensions necessitated by the length of the appeal, motions to expand the judgement

role and in conversations with court clerks concerning the length of the brief and problems related to filing exhibits.

Counsel recognizes that the amount of work they put into the preparation of this appeal was extraordinarily time consuming. In the opinion of Counsel all of this work was required in order to present adequately the issues which appeared from a reading of the record. The Appellant's brief contained 15 major points many of which raised multiple questions of law. As a result of the Appellant's brief and argument, the two dissenting Justices wrote an opinion in which they would have reversed on 12 separate grounds. Thus counsel are confident that their work was justified and that it was accomplished with efficiency and without undue waste of time and energy.


LEWIS M. STEEL

Sworn to before me

This 3rd day of July, 1973


Notary Public

CAROLYN P. MANNING
Notary Public, State of New York
No. 03-7700450
Qualified in Bronx County
Commission Expires March 30, 1974