EXHIBIT 6

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases	No. 5:16-cv-10444-JEL-MKM HON. JUDITH E. LEVY MAG. MONA K. MAJZOUB

DECLARATION OF JULIE H. HURWITZ IN SUPPORT OF PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES

Pursuant to 28 U.S.C. § 1746, I, Julie H. Hurwitz, hereby declare as follows:

1. I am a partner of the law firm Goodman Hurwitz & James, P.C., (GHJPC). My firm is part of the legal team, alongside the law firm Pitt McGehee Palmer Bonanni & Rivers, P.C., representing the Plaintiff putative class in the above captioned matter. I have personal knowledge of the matters stated in this declaration.

2. I provide this declaration in support of Plaintiffs' Motion for an Award of Attorneys' Fees and Reimbursement of Expenses. More specifically, I describe the time invested and expenses incurred by GHJPC in the prosecution of this action for the common benefit of plaintiffs in the Flint Water Cases (including but not limited to the Class Plaintiffs) from February 16, 2021 to November 30, 2023.

3. Over the course of this litigation, GHJPC has been involved in the following specific activities:

- *Pre-Filing:* GHJPC was actively and intensively involved in strategic decision-making, preliminary client contact and retention, research,

community education, interviewing potential clients, devising the consititutional legal theories for §1983 claims, principal drafting and filing of initial complaints, both in federal and state courts, including the Genesee County Circuit Court and the Michigan Court of Claims.

- *Pleadings:* GHJPC was extensively involved in the researching and drafting of Class Plaintiffs' complaints and multiple amended complaints.

- *Motions to Dismiss and for Reconsideration:* GHJPC attorneys researched and drafted briefing in opposition to Defendants' multiple motions to dismiss, particularly concerning the claims brought under 42 U.S.C. § 1983 in federal court and directly under the Michigan Constitution in the Michigan Court of Claims. GHJPC attorneys also argued against dismissal of § 1983 claims in federal district court. GHJPC attorneys also drafted briefing for the various motions for reconsideration related to the Court's motion to dismiss rulings.

- *Appeals:* GHJPC was actively involved in the strategic decision-making and primary briefing relating to the multiple appeals that have been filed by various defendants in the litigation, particularly concerning the claims brought under 42 U.S.C. § 1983 and directly under the Michigan Constitution, qualified immunity, the Court's rulings on the multiple motions to dismiss and motions to stay, *amicus* briefs, petitions for *en banc* review and petitions for *certiorari* to the Supreme Court.

    - GHJPC attorneys successfully argued both before the Michigan Court of Appeals and the Michigan Supreme Court, prevailing at both appellate levels, on Plaintiffs' substantive due process claims brought directly under the Michigan Constitution.

    - GHJPC attorneys also successfully argued before the U.S. Court of Appeals for the Sixth Circuit on the issue of the Court's jurisdiction over claims against the City of Flint.

- *Discovery:* GHJPC has participated directly in: the taking and defending of numerous depositions; reviewing millions of pages of documents produced; drafting substantive briefing and discovery requests and responses; assisting class plaintiffs in preparing responses

to discovery requests; participating in extensive expert analysis and discovery.

- *Mediation and Settlement:* Immediately prior to the formal appointment of the Mediators in January 2018, GHJPC played an active role in meeting with one of the Mediators in December 2017, prior to his final appointment, and in working weekly with the legal team to strategize regarding the final selection of the Mediators, as well as the ongoing settlement negotiations and, post-settlement announcement, working with community/clients in assisting with the outreach and registration process.

- *Community Relations/Public Education*: Throughout the course of the litigation, GHJPC has played an active role in planning, attending and speaking at the numerous client/community meetings to discuss the ongoing status of the case and settlement negotiations.

- *Strategy and Planning:* In coordination with co-counsel, GHJPC attorneys have participated at every level of strategic decision and planning discussions throughout the case in relation to case investigation, pleadings, briefing, and discovery, and have participated in and led calls and meetings to plan and assess case status and ensure the efficient management of tasks.

4. The total number of hours expended on this litigation by GHJPC for the common benefit of plaintiffs in the Flint Water Cases (including but not limited to the Class Plaintiffs) from February 16, 2021 to November 30 2023 is 745.25 hours.

5. The GHJPC firm has been in existence for 16 years. Close to 100% of all fees to the Firm have been generated through contingent fee arrangements with the Firm's clients. Based on the financial records of the Firm, a current billing rate of $700 per hour or more for Julie Hurwitz and William Goodman, and $500 per

hour for Kathryn James,[1] can be derived from a combined review of the average annual net contingent fees received by the Firm from over the last 14 years, coupled with the individual credentials of each attorney in the firm.[2] The total lodestar for this work using their respective billing rates is $330,773.75. GHJPC has not received any payment to date for this work.

6. Attached as Exhibit A is a detailed summary indicating all time spent by each attorney and professional staff-person who worked on this litigation, and their lodestars based on GHJPC's current billing rates, categorized and sub-totaled

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[1] Note that when the Firm first filed this case in November 2015, attorney Kathryn Bruner James was a Senior Associate, with a billing rate of $400/hour. Starting on January 1, 2017, she became a partner in the firm and her billing rate went up to $450/hour, and then on January 1, 2023, her billing rate went to $500/hour. The change in her billing rate is so reflected in Exhibits A, B and C.

[2] For example, Julie Hurwitz has been practicing law since 1983, specializing in civil rights litigation. She has been an Adjunct Professor of Law teaching Civil Rights Litigation; has been a "Michigan Super Lawyer" since 2006; is "AV Preeminent" Peer Review Rated by Martindale-Hubbell; has obtained several million-plus dollar jury trial verdicts (all verdicts have resulted in settlements ranging from $250,000 - $8,000,000); has written and lectured on various aspects of trial practice, civil rights litigation and government liability throughout the country. William Goodman specialized in civil rights law since 1965. For 10 years he was the Legal Director of the Center for Constitutional Rights. He teaches Constitutional Litigation at Wayne State Law School. In 2018 he published "Flint, Water, and Race: Proving Racial Intent in Flint Water Crisis" in the *Journal of Law in Society*. Kathryn James has been a member of the GHJPC Firm since its inception and has been involved in litigating several million dollar-plus civil rights cases both as an Associate (2007-2016) and as a partner (2017-present). She is currently an elected member of the Ferndale City Council, is a delegate to the Southeast Michigan Council of Governments, and is co-facilitator of the Detroit Metro ALPACT Steering Committee.

by each timekeeper from February 16, 2021 to November 30, 2023.

7. Attached as Exhibit B is a detailed summary indicating the time spent by my firm's attorneys and professional staff who worked on this litigation, and their lodestars based on GHJPC's historical billing rates from February 16, 2021 to November 30, 2023.

8. Attached as Exhibit C is a detailed summary indicating the time spent and lodestar accrued by GHJPC on this litigation from February 16, 2021 to November 30, 2023, categorized by task.

9. GHJPC prepared these schedules from contemporaneously made daily time records regularly prepared and maintained by the timekeepers identified in these exhibits. The records were kept and categorized in accordance with the Case Management Order Regarding Time and Expense Procedures (ECF No. 507) and were submitted regularly to the Special Master in accordance with that Order. The hourly rates reflected in the attached schedules are based on the comparable hourly rates charged for GHJPC's services on a contingent basis in similar complex civil rights litigation.

10. The total amount of unreimbursed expenses incurred by GHJPC directly (*i.e.* not through the Class Litigation Fund) in connection with the prosecution of this litigation from February 16, 2021 to November 30, 2023 is $257.02. Attached as Exhibit D is a breakdown by category of these expenses. These

are reflected on GHJPC's books and records. The books and records are prepared from expense vouchers, receipts, invoices, check and bank records, and other source materials, and represent an accurate recordation of the expenses incurred. The expenses reflected in Exhibit D were reasonably incurred and necessary and appropriate in the prosecution of this litigation and were for the common benefit of the plaintiffs (including but not limited to the Class Plaintiffs) in the Flint Water Cases.

11. The time and expense records described herein were reviewed by my firm for accuracy, duplicate entries, and compliance with the provisions of the Court's Time and Expense Case Management Order Regarding Time and Expense Procedures (ECF No. 507) concerning common benefit work and expenses.

12. Upon request from the Court, GHJPC is prepared to submit for *in camera* review the daily time records and expense documentation supporting Exhibits A, B, C, and D.

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

Executed on December 14, 2023
Detroit, Michigan

/s/ Julie H. Hurwitz
Julie H. Hurwitz

Exhibit A: GHJPC Lodestar at Current Billing Rates

Professional	Position	Current Rate	Cumulative Hours	Cumulative Lodestar
Goodman, William	P	$700	72.40	$50,680.00
Hurwitz, Julie	P	$700	332.80	$232,960.00
James, Kathryn	P	$500	.70	$350.00
*Seale, Laurel	L	$125	304.75	$38,093.75
*Brown, Melissa	A	$250	34.60	$8,650.00
TOTAL			745.25	$330,773.75

P	Partner
C	Counsel
Sr. A	Senior Associate
A	Associate
L	Legal Assistant
I	Intern

*Former employee, rate stated as of the date of end of employment.

Exhibit B: GHJPC Lodestar at Historical Billing Rates

Professional	Position	Years+*	Historical Rate	Cumulative Hours	Cumulative Lodestar
Goodman, William	P	2015-2021	$700	72.40	$50,680.00
Hurwitz, Julie	P	2015-2021	$700	332.80	$232,960.00
James, Kathryn	P	2017-2023	$450	n/a	
James, Kathryn	P	2023	$500	.70	$350.00
*Seale, Laurel	L	2019-2021	$100	n/a	
*Seale, Laurel	L	2/2021-2023	$125	304.75	$38,093.75
*Brown, Melissa	A	2020-2021	$250	34.60	$8,650.00
TOTAL				**745.25**	**$330.773.75**

P	Partner
C	Counsel
Sr. A	Senior Associate
A	Associate
L	Legal Assistant
I	Intern

*Former employee, rate stated as of the date of end of employment.

Exhibit C: GHJPC Lodestar by Task

Task	Hours	Lodestar
1. Administration (data and file management)	34.60	$8,650
2. Document Review	17.30	$12,110
3. Legal Research		
4. Pleadings, Briefs and Pretrial Motions	64.20	$ 44,940
5. Other Discovery		
6. Deposition Prep/Take/Defend	52.30	$ 36,610
7. Experts/Consultants		
8. Case Vetting/Bellwether	289.40	$36,175
9. Class Certification		
10. Trial Preparation and Trial		
11. Court Appearances/Arguments before the Court	16.85	$11,795
12. Litigation Strategy and Case Management		
13. Settlement	8.20	$5,740
14. Travel	18.00	$ 2,250
15. Committee Meetings or Calls	114.55	$80,185
16. Lead Counsel/PEC/Liaison Counsel Duties	42.45	$29,715
17. Time and Expense Admin	87.40	$62,603.75
18. Appeal		
TOTAL	**745.25**	**330,773.75**

Exhibit D: GHJPC Litigation Expenses

Expense codes	Amount
1. Postage, shipping, courier, certified mail	$
2. Printing and photocopying (in-house)	$216.62
3. Computerized research - Lexis/Westlaw (actual charges only)	$ 40.40
4. Telephone - long distance (actual charges only)	
5. Travel (pursuant to Travel Limitations)	$
6. Airfare (pursuant to Travel Limitations)	
7. Reasonable ground transportation (pursuant to Travel Limitations)	
8. Hotel - (pursuant to Travel Limitations)	
9. Reasonable meals	$
10. Other reasonable and necessary charges (e.g., parking)	$
TOTAL	**$257.02**