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18 Counsel for Petitioner

19 UNITED STATES DISTRICT COURT FOR THE
20 CENTRAL DISTRICT OF CALIFORNIA

21 ARTEM VASKANYAN,

22 No. 5:25-cv-01475-MRA-AS

23 Petitioner,

24 v.

25 JAMES JANECKA, Warden, Adelanto ICE
26 Processing Center, et al.

27 Respondents.

28
29 **PETITIONER'S APPLICATION FOR FEES AND COSTS
30 PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

31 Pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, and pursuant to
32 the Court's Order dated July 18, 2025 (ECF No. 27), Petitioner Artem Vaskanyan respectfully
33 requests that the Court award him the attorney's fees and litigation costs as set forth herein for
34 prosecution of the above-captioned Petition.

1 **I. PETITIONER IS ELIGIBLE FOR AN AWARD OF FEES AND COSTS
2 PURSUANT TO THE EAJA**

3 On July 18, 2025, the Court expressly awarded Petitioner “reasonable attorneys’ fees
4 pursuant to the Equal Justice Act, 28 U.S.C. § 2412.” ECF No. 27 at 8. Accordingly, the Court
5 has already found that Petitioner is eligible for an award of fees and costs as the prevailing party
6 within the meaning of the EAJA, and that the government’s position was not “substantially
7 justified.” 28 U.S.C. § 2412(d)(1)(B)

8 **II. PETITIONER’S REQUESTED FEES AND COSTS ARE REASONABLE**

9 In conformance with 28 U.S.C. § 2412(d), Petitioner submits with this application the
10 declaration of his attorney Irene C. Freidel (“Freidel Decl.”) together with her time and expense
11 records to demonstrate the actual time expended and cost incurred in prosecuting this Petition.

12 *See Exhibit 1 hereto.* The proposed fee award encompasses the following segments of time:

13

- 14 • 17.4 hours spent investigating and drafting the Petition, including preparing pro
15 hac vice application. Freidel Decl. at para. 5.
- 16 • 15.2 hours spent researching, drafting, and filing the Application for Temporary
17 Restraining Order as well as a conference with opposing counsel. Freidel Decl. at
18 para. 6.
- 19 • 17.6 hours reviewing the government’s opposition to the Application for TRO,
20 researching, drafting, and filing the Reply in support of the TRO, as well as the
21 supplement to the Application, and reviewing the Court’s order on the TRO.
22 Freidel Decl. at para. 7.
- 23 • 5.4 hours conferring with opposing counsel regarding the government’s response
24 to the order to show cause to extend the TRO, preparing the supplement to the
25 Petition, reviewing the government’s answer to the Petition, and preparing the
26 reply. Freidel Decl. at para. 8.
- 27 • 5.2 hours reviewing the Court’s order granting the petition, preparing for and
28 coordinating Petitioner’s release from custody, including communications with
29 opposing counsel. Freidel Decl. at para. 9.
- 30 • 3.0 hours preparing this fee application. Freidel Decl. at para. 10.

31 Petitioner therefore requests an award of fees for a total of 63.8 hours prosecuting this case.

1 For the 63.8 hours of time, Petitioner proposes an adjusted hourly rate of \$251.84 for a
2 total fee award of \$16,067. Petitioner is not seeking the recovery of costs. Although the EAJA,
3 enacted in March 1996, sets a default statutory cap of \$125 per hours, that rate may be increased
4 to account for the cost of living. 28 U.S.C. § 2412(d)(2)(A)(ii); Thangaraja v. Gonzales, 428 F.3d
5 870, 876-77 (9th Cir. 2005). Petitioner proposes the above adjusted rate based on the most recent
6 rate posted by the Ninth Circuit in its list of Statutory Maximum Rates Under the Equal Justice
7 Act published at <https://www.ca9.uscourts.gov/attorneys/statutory-maximum-rates/>. \$251.84
8 represents the 2024 rate, which is the rate posted for the most recent period available. Billed at
9 this rate, Petitioner's requested fee for 63.8 hours of work is reasonable.
10

11 In addition, Petitioner submits with this Application his own declaration stating that his
12 net worth does not, and has never, exceeded two million dollars and assigning any award of fees
13 and costs to his attorney. *See Exhibit 2 hereto.*
14

15 **III. CONCLUSION**

16 Petitioner Artem Vaskanyan respectfully requests that the Court grant this application for
17 fees and costs pursuant to the EAJA and order Respondent to pay him \$16,067 in fees as outlined
18 herein.
19

20 Dated: August 11, 2025

Respectfully submitted,

21 By: /s/ Irene C. Freidel
22 Irene C. Freidel
23 (*pro hac vice*)
24 ifreidel@pairproject.org
25 Political Asylum/Immigration Representation
26 (PAIR) Project
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28 Boston, MA 02114
Tel: 617-420-3195
Fax: 617-742-9385

27 *Pro Bono* counsel for Petitioner
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3 **CERTIFICATE OF SERVICE**

4 I, Irene C. Freidel, hereby certify that the foregoing document was served on
5 Respondents' counsel on this 11th day of August 2025 via the ECF platform.

6 */s/ Irene C. Freidel*

7 Irene C. Freidel

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EXHIBIT 1

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29 Respondents.

30
31
32 **DECLARATION OF IRENE C. FREIDEL IN SUPPORT OF**
33 **APPLICATION FOR FEES AND COSTS**
34 **PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT**

35 I, Irene C. Freidel, state that the following facts are true and correct, based upon my
36 personal knowledge:

37 1. I have been a member in good standing of the bar of the Commonwealth of

1 Massachusetts since 1991. I am over the age of 18 and am competent to testify
2 regarding the matters described below.

3 2. I graduated from the University of Michigan Law School in 1991. I was an associate, and
4 thereafter partner, at the law firm of K&L Gates LLP between 1991 and 2017. I began
5 providing pro bono legal services to individuals detained by U.S. Immigration and
6 Customs Enforcement (ICE) in 2017. Since 2018, I have been employed by the Political
7 Asylum/Immigration Representation (PAIR) Project in Boston, Massachusetts. The
8 mission of the PAIR Project is to provide pro bono legal services to indigent asylum
9 applicants, noncitizens detained by ICE, and others seeking humanitarian relief. My
10 current role at the PAIR Project is Detention Program Manager.

11 3. I was retained by Petitioner for *pro bono* services in connection with his detention by ICE
12 when he was initially placed in ICE custody in Rhode Island in November 2024. I am lead
13 counsel for Petitioner in the above-captioned Petition for Writ of Habeas Corpus.

14 4. During the course of this litigation, I maintained time records in the normal course of my
15 duties as a staff attorney and counsel in the above-referenced petition, records that I kept
16 in good faith and that I created routinely and contemporaneously with the conduct
17 described in each record or within a reasonable time thereafter. An accurate compilation
18 of my time records is set forth in the chart attached to this declaration as Tab A. The
19 compilation has been prepared to protect attorney-client privilege as well as confidential
20 litigation work product. The compilation accurately reflects the tasks I completed in
21 connection with litigating the Petition, the time I spent to complete those tasks, and it
22 preserves the substance of the original records as far as reasonably possible.

23 5. Upon review of my time records, I have determined that I spent no less than 17.4 hours
24 investigating and drafting the Petition.

25 6. Upon review of my time records, I have determined that I spent no less than 15.2 hours
26 researching, drafting, and filing the Application for Temporary Restraining Order as well
27 as conferring with opposing counsel.

28 7. Upon review of my time records, I have determined that I spent no less than 17.6 hours
reviewing the government's opposition to the Application for TRO, researching, drafting,
and filing the Reply in support of the TRO, as well as the supplement to the Application,
and reviewing the Court's order on the TRO.

8. Upon review of my time records, I have determined that I spent no less than 5.4 hours
conferring with opposing counsel regarding the government's response to the order to
show cause to extend the TRO, preparing the supplement to the Petition, reviewing the
government's answer to the Petition, and preparing the reply.

9. Upon review of my time records, I have determined that I spent no less than 5.2 hours
reviewing the Court's order granting the petition, preparing for and coordinating
Petitioner's release from custody, including communications with opposing counsel.

10. Upon review of my time records, I have determined that I have spent no less than 3.0
hours preparing this fee application.

11. In total, I spent no fewer than 63.8 hours on tasks required to litigate the above-captioned
Petition for Writ of Habeas Corpus.

1 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS
2 ARE TRUE AND CORRECT. EXECUTED THIS 11th DAY OF AUGUST 2025.
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/s/ Irene C. Freidel
Irene C. Freidel

Compilation of Time Records for Irene C. Freidel

Date	Description of tasks completed	Hours
6/10/2025	Begin researching and drafting habeas petition	4.5
6/11/2025	Continue drafting habeas petition and confer with local counsel	7.3
6/12/2025	Finalize habeas petition for filing; compile evidence and prepare attorney declaration; confer with local counsel re filing; email to AUSA J. Osinoff to confer regarding TRO.	5.6
6/13/2025	Begin researching and drafting TRO application; prepare pro hac vice application; emails with DOJ re conference; confer with AUSA J. Casselman.	4.7
6/14/2025	Work on researching and drafting TRO motion.	3.5
6/16/2025	Continue researching and drafting TRO motion; confer with AUSA J. Casselman.	2.7
6/17/2025	Finalize and file TRO motion; communicate with AUSA J. Casselman.	4.3
6/20/2025	Review DOJ opposition to TRO motion and court scheduling order	1.5
6/21/2025	Begin researching and drafting reply in support of TRO	3.6
6/22/2025	Continue researching and drafting reply in support of TRO	6.8
6/23/2025	Finalize and file reply in support of TRO	4.2
6/24/2025	Draft and file supplement to TRO motion re DVD decision	1.0
6/25/2025	Review court order on TRO motion	0.5
6/26/2025	Confer with AUSA J. Casselman	0.2
6/27/2025	Emails with AUSA J. Casselman re 180-day decision; review 180-day decision	0.2
6/30/2025	Review court scheduling order; file supplement to petition re decision to continue detention	0.6
7/2/2025	Confer with AUSA J. Casselman re stipulation to continue OSC hearing; review draft stipulation	0.2
7/3/2025	Review court order on stipulation	0.1
7/15/2025	Prepare and file supplement to TRO motion re decision of Armenian consulate; confer with J. Casselman	1.5
7/17/2025	Review government's response to OSC and answer to petition; prepare reply in support of petition	2.6
7/18/2025	Review court's order granting petition; manage logistics of petitioner's release	5.2
8/1/2025	Prepare fee application	3.0
TOTAL HOURS:		63.8

EXHIBIT 2

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29 Respondents.

30
31 DECLARATION OF ARTEM VASKANYAN

32 I, Artem Vaskanyan, hereby declare that the following facts are true and accurate, based upon
33 my personal knowledge:

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35 1. I, Artem Vaskanyan, am the petitioner in the above-referenced action.
36
37 2. I live at [REDACTED]

3. I am a private individual, and my net worth does not, nor has it ever, exceeded two million dollars (\$2,000,000).

4. I make this declaration in support of my application for fees and costs incurred in my successful representation in the above-captioned case.

5. I previously retained Irene C. Freidel of the Political Asylum/Immigration Representation (PAIR) Project to represent me *pro bono* in this case.

6. I authorize the recovery of fees and expenses to my attorney's office in order to compensate them for the work they performed on my behalf for which they were not otherwise compensated.

7. I further assign payment of any award of fees and costs to the PAIR Project and request payment to the PAIR Project via a check mailed to Irene C. Freidel, PAIR Project, 98 N. Washington Street, Suite 106, Boston, MA 02114.

8. To the best of my knowledge, I do not owe any debt to the United States government.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS
ARE TRUE AND CORRECT. EXECUTED THIS 1ST DAY OF AUGUST 2025.

/s/ Artem Vaskanyan
ARTEM VASKANYAN