Appendices
APPENDIX A – INVOICE SUBMISSION PROCEDURES FOR ASB MATTERS

A. Frequency and Timeliness of Billing

1. **Frequency of Billing.** Invoices should be submitted monthly (30-day cycle) commencing with the assignment of the case.
2. **Timekeeping.** It is strongly urged that charges by timekeepers be recorded contemporaneously as the work is performed. This approach fosters more accurate timekeeping.
3. **Timeliness of Billing.** All invoices are **required** to be submitted within 30 days following the end of the billing cycle. The end of the billing cycle is the last day of service appearing on an invoice. Invoices received more than 30 days from the last date of service without an adequate explanation for the delay appearing in the Invoice Description Field on the invoice may not be paid. Dates of service between invoices should not overlap absent sufficient demonstration of need. Explanations for deviating from these requirements can be communicated via CounselLink with a note attached at the individual invoice level.
4. **Final Bills.** Final Bills must be clearly marked as FINAL and should be submitted as soon as all work is completed, i.e., on or shortly after the last day of service appearing on the invoice. Electronically submitted final bills should be marked as such, using the "Final Invoice" indicator in CounselLink.

B. Invoice Submission Procedures

1. **Electronic.** Liberty is committed to electronic submission of legal services invoices through a secure web-based process. All invoices must be submitted electronically. Only specific exceptions granted to the firm, for specific customer-related issues will be honored. Liberty uses LexisNexis and its CounselLink system for e-billing, but the firm is not responsible for paying LexisNexis fees.

   a. Specific technical requirements and all other information will be provided by LexisNexis. Liberty requires that law firms are Uniform Task-Based Management System (UTBMS) compliant and able to provide UTBMS information in an industry format similar to LEDES. Activity and Expense codes should also be included in addition to the phase and task codes to describe the legal action being performed or expenses incurred. More information about these codes is available at **http://bit.ly/2mtfQCr**.

   b. Regular invoices must be submitted with the case caption and Liberty claim number appearing in the Invoice Description field on every invoice. Invoices failing to contain this information will be rejected. Invoices submitted for ASB matters must contain the actual plaintiff's name unless billed to a General or National Coordinating Counsel (NCC) file, in which case that should be specified (see additional procedures below).

   c. Invoices must also include daily entries showing: (a) the date the work was performed; (b) the initials, appropriate rate and timekeeper level of the person providing the service; (c) a description of the work performed, by single activity, with the associated UTBMS phase, task, activity and/or expense code; and (d) the actual time in tenths of an hour for each single activity.

   d. At any point in time, a litigation auditor may request a PDF copy of any document related to time billed on an invoice to support the total time billed. If requested, your firm should provide necessary documentation with your electronic invoices by uploading them using the Documents tab within CounselLink..

e. Invoices submitted with incorrect rates or timekeeper levels may be automatically rejected and must be corrected before re-submitting electronically. If you have an invoice rejected, and you believe you are billing the correct rate, please contact your Liberty Mutual Insurance Legal Strategic Services Regional Manager.

f. Legal Invoice Support Assistant ("LISA")

1. Log into CounselLink. From the home page, click on Legal Invoice Support Assistant (LISA) link under Contact LABS
2. Click "My Requests" on the top right corner to see your request queue showing all the requests you have submitted so far and their status.
3. The "My Requests" queue will indicate if the request is open or closed and to whom it is assigned
4. You can also access it after you submit a request from the success msg page.
5. Click on my request queue to check status of all your requests or start a new request

For any law firms without access to CounselLink, utilize the following email address for any billing issues: LABS_Support@LibertyMutual.com.

Inquiries submitted through the above email will be handled in the order received. Please do not reach out to LABS Support or resubmit an inquiry if you do not receive a response within ten (10) business days as a response will be provided in a timely manner.

C. Additional Invoice Submission Procedures (National Coordinating Counsel and Local Counsel Handling):

1. **National Coordinating Counsel (NCC) Role:** All work performed by a law firm in the NCC capacity MUST be billed ONLY to the NCC .Various claim number and corresponding matter number. Even if the work is pertaining to a specific case, if the timekeepers of the firm are performing their role as NCC, the work should still be billed to the appropriate NCC file. This billing should be consistent with capturing time for those NCC tasks set forth in the Defined Roles and Best Practices for NCC and Local Counsel previously distributed to ASB handling firms and incorporated by reference herein (see Appendix A1), and includes but is not limited to the following circumstances:

a. Drafting master templates for discovery for dissemination to local counsel
b. Generating training materials on the general litigation and corporate background
c. Attending case appropriate depositions (e.g., significant expert or corporate depositions)
d. Assisting with corporate discovery
e. Assisting with case-specific discovery where NCC houses and retrieves product-id information from corporate records
f. Assisting with case-specific strategy where uniformity is necessary across all jurisdictions

For further guidance and descriptions relative to the expected roles of NCC, please reference Appendix A1 Defined Roles and Best Practices for NCC and Local Counsel.

Consistent with standard law firm retention practices, fees associated with administrative tasks are not billable but are built into rate structure negotiated at the time of retention. Thus, Liberty would not expect any firm to bill for, nor would it consent to pay, fees for administrative services. Similarly, tasks that are within the purview of another law firm (e.g., Local Counsel), when also performed by NCC, are considered duplicative and, therefore, non-compensable to NCC. Please refer to the following non-exhaustive list of such administrative and/or potentially duplicative tasks to serve as examples:

- **a.** Entering claim numbers into a database or tracking for any insured.
- **b.** An NCC's reviewing of a complaint on intake, especially as part of the routing process, where Local Counsel reporting to NCC already is assigned to review the complaint and is billing for such. (To the extent a specific complaint raises complex issues and/or requires immediate consultation between the Local Counsel and NCC on the issues raised therein, we would expect Local Counsel to raise these issues with the NCC and the claims handler and for the corresponding billing entries to reflect these discussions and the reason for the review by both Local Counsel and NCC.)
- **c.** NCC's time spent assigning work and/or forwarding new cases to Local Counsel.
- **d.** The tracking of settlement funds and checks, as well as sending out emails regarding status, payment amount, etc.

Invoice Description Field: When working on specific cases as NCC, the invoices must be billed to the NCC file, but the Invoice Description Field needs to reflect the particular case being worked. The field should indicate the [Plaintiff Name] vs. [Insured Name] ([Plaintiff Specific Claim Number]).

To eliminate variations, the standard format for indicating the Plaintiff Name in the Invoice Description field is as follows:

- **a.** Use the actual injured party's name as it is stated in the complaint (this is usually the plaintiff's name in the complaint, but, under circumstances where the named plaintiff is an executor, administrator, etc., please use the name of the underlying injured party as he/she is stated in the complaint).
- **b.** Format [Plaintiff Name] as:
- **c.** <Last Name>, <First Name, or first initial if that is in the legal name> <Middle Name if any, or middle initial if that is in the legal name> <Suffix if any>
- **d.** [Note the placement of comma after the last name and spaces between each component of the name.]
- **e.** Avoid the use of any quotation marks in the Invoice Description Field.
- **f.** The proper approach for indicating the specific Insured Name in the Invoice Description field to eliminate variations is as follows:
- **g.** Use the Insured's proper name (e.g., Company X) as opposed to the name of the first defendant listed in the action.
- **h.** When work does not apply to a specific case but rather to the national litigation, the Invoice Description Field should reflect NCC Role vs. [Insured Name].

2. **Local Counsel Role:** All work performed by a law firm in the Local Counsel capacity must be billed to the appropriate state-based .Various claim number and corresponding matter number. (If a particular insured is exempt from state-based billing files, please contact the account's claims handler for further clarification.) This billing should be consistent with capturing time for those Local Counsel tasks set forth in the Defined Roles and Best Practices for NCC and Local Counsel previously distributed to ASB handling firms and incorporated by reference herein (see Appendix

A1). Importantly, any firm that has not been specifically designated as the single NCC firm for the entire country should NEVER bill to an NCC file.

Invoice Description Field: The Invoice Description field must be employed on all invoicing. There are two options for the formatting of this field in the Local Counsel Role: [Plaintiff Name] vs. [Insured Name] ([Plaintiff Specific Claim Number]) or [General Work] vs. [Insured Name] ([.Various Claim Number]).

a. [Plaintiff Name] vs. [Insured Name] ([Plaintiff Specific Claim Number]). This format is to be employed for all specific cases that are being worked. The billing for each case must be on its own invoice number so that the Invoice Description Field can properly reflect an individual case name for each invoice.

To eliminate variations, the standard format for indicating the Plaintiff Name in the Invoice Description field is as follows:

Use the actual injured party's name as it is stated in the complaint (this is usually the plaintiff's name in the complaint, but, under circumstances where the named plaintiff is an executor, administrator, etc., please use the name of the underlying injured party as he/she is stated in the complaint).

Format [Plaintiff Name] as:

<Last Name>, <First Name, or first initial if that is in the legal name> <Middle Name if any, or middle initial if that is in the legal name> <Suffix if any>

[Note the placement of comma after the last name and spaces between each component of the name.]

Avoid the use of any quotation marks in the Invoice Description Field.

b. Insured Name. The proper approach for indicating the specific **Insured Name** in the Invoice Description field to eliminate variations is as follows:

Use the Insured's proper name (e.g., Company X) as opposed to the name of the first defendant listed in the action.

[General Work] vs. [Insured Name] ([.Various Claim Number]): This format should ONLY be used when work is applicable to the litigation, such as reviewing corporate discovery, or when a single activity, such as reviewing incoming repetitive pleadings across multiple cases is billed in a single entry to properly reflect overall time. (Ex: Reviewed 50 incoming notices of deposition [0.3]).

c. LABS Invoice Support Assistant ("LISA"). These invoicing protocols are meant to be a guide for clarification when invoicing Liberty Mutual. If you need assistance with implementing these protocols for your billing situations, please submit a ticket using the LISA portal.