

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRIAN A., et al.)	
)	
Plaintiffs,)	Civ. Act. No. 3:00-0445
)	Judge Waverly D. Crenshaw, Jr.
v.)	
)	
BILL HASLAM, et al.)	
)	
Defendants.)	

ORDER


Plaintiffs have moved for approval of attorneys’ fees and expenses in this matter for the period from July 19, 2017 to December 31, 2018.¹ Plaintiffs’ counsel seek a total of \$35,142.84 for reasonable post-judgment attorneys’ fees and litigation expenses. In their motion, Plaintiffs’ counsel has stated that this is their final request for attorneys’ fees and expenses in this matter. With the understanding that this is Plaintiffs’ counsel’s last request, Defendants have agreed to the amount of requested fees and expenses after arm’s length negotiations between the parties and have not opposed Plaintiffs’ motion.

¹ This unopposed motion is also presented in accordance with the Joint Motion for an Order Partially Terminating Jurisdiction and Partially Dismissing Case with Prejudice (Dkt. No. 587), granted by this Court by Order dated July 18, 2017 (Dkt. No. 589): “At the June 8, 2017 status conference, the Court inquired regarding any attorney’s fees (Transcript, Dkt. No. 586, at p. 14). If the Court grants this Joint Motion, Plaintiffs will present to Defendants a request for fees and expenses for the most recent period from November 1, 2016 to the date partial exit is granted, to the extent authorized by 42 U.S.C. § 1988. (See Dkt. No. 577 (approving fees for the period November 1, 2015 to October 31, 2016).) The parties will attempt to resolve this request for fees and expenses through negotiation as they have done repeatedly over the years of this action (see Dkt. Nos. 241, 252, 257, 273, 279, 285, 291, 403, 428, 440, 482, 508, 538, and 560 approving negotiated fees and expenses), and will either present an unopposed motion for this Court to consider or a disputed motion in the event agreement cannot be reached. If the Court grants this Joint Motion, **any subsequent request for fees and expenses related to the remaining Section XIX will be addressed in similar fashion.**” Joint Motion for an Order Partially Terminating Jurisdiction and Partially Dismissing Case with Prejudice (Dkt. No. 587) at 22, fn. 17, emphasis added.

Having duly considered all papers submitted in connection with Plaintiffs' final motion for approval of attorneys' fees and expenses, the Court hereby grants Plaintiffs' motion for \$35,142.84 for reasonable post-judgment attorneys' fees and litigation expenses pursuant to Section XX of the April 2017 Modified Settlement Agreement and Exit Plan (Dkt. No. 588), Federal Rule of Civil Procedure 23(h), Local Civil Rule 54.01(b), and 42 U.S.C. § 1988. Having previously found that application of Rule 23(h) does not require approval of notice, publication, and a hearing in connection with each of Plaintiffs' periodic requests for fees, the Court further orders that notice, publication, and a hearing are not required in connection with this motion.

Within 30 days of the entry of this ORDER, and before the court enters a final order dismissing this action, Defendants shall pay a total of \$35,142.84 to Children's Rights, in complete payment and settlement of all fees and expenses for the period from July 19, 2017 to December 31, 2018.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
Chief United States District Judge