

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ARTHUR L. LEWIS, JR., et al.,

Plaintiffs,

v.

CITY OF CHICAGO,

Defendant.

Case No. 98 C 5596

Judge Joan B. Gottschall

**ORDER**

This matter comes before the Court on Plaintiffs' Unopposed Motion to Award Plaintiffs' Attorney's Costs and Expenses for amounts advanced by them since mid September 2011 ("Motion").

The Court, having considered the Motion and being aware of the extensive history and record in this case, finds as follows pursuant to Rules 23 and 54 of the Federal Rules of Civil Procedure:

1. After protracted legal proceedings in this class action, including a full trial on both liability and extensive remedial proceedings before this Court, two appeals and one remand to the United States Court of Appeals for the Seventh Circuit, and an appeal to the United States Supreme Court, this Court found that plaintiffs were prevailing parties within the meaning of Section 706(K) of Title VII of the Civil Rights Act of 1964. 42 USC § 2000e-5(K).

2. On March 21, 2012, this Court entered an order awarding plaintiffs' counsel costs expended through mid-September 2011. [Docket # 522], reserving consideration of costs and fees subsequently incurred for future proceedings. Since mid-September 2011. Since then,

Plaintiffs' counsel have incurred and advanced additional costs and now move for entry of an order awarding additional costs, in the amount of \$137,194.83. Plaintiffs' counsel have also incurred additional attorneys' fees which the parties are continuing to exchange information and make disclosures about, are not addressed by the current Motion and will be addressed by a subsequent motion.

3.The parties have engaged in disclosures of information which have resulted in unopposed claims for plaintiffs' costs and expenses in the amounts indicated below. The Court finds that the amounts of costs are more than justified.

4.The Court further finds that there is neither any evidence of collusion nor other impropriety in the parties' discussions regarding costs, and that there is also no adverse impact on the plaintiff class from the proposed awards costs, which are payable wholly in addition to and do not reduce, delay or otherwise affect monetary amounts or other remedies and relief available to class members in any manner.

5.Accordingly, pursuant to Federal Rules of Civil Procedures 23 and 54, this Court finds that the proposed awards of costs are fair and reasonable, and orders that the City of Chicago pay costs to Hughes Socol Piers Resnick & Dym, Ltd., in the amount of \$137,194.83, within two days of this Order.

6.Plaintiffs' counsel have posted notice of this Motion and a copy of this order (as proposed) on the website they maintain for this case ("class website"), [www.cfd1995testlitigation.com](http://www.cfd1995testlitigation.com), and on the Class Action Administrator's website, [www.chicagofirefighterclassaction.com](http://www.chicagofirefighterclassaction.com). The Court finds that this manner of notice was reasonable and in compliance with Federal Rule of Civil Procedure 23(h).

APPROVED and ORDERED this 27th day of December, 2013.

ENTER:

/s/  
JOAN B. GOTTSCHALL  
UNITED STATES DISTRICT JUDGE