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NOTE: CHANGES MADE BY
THE COURT

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

17 FRED PIERCE, TIMOTHY LEE CONN,
18 MAX SANDERS, FERMIN
19 VALENZUELA, LAURIE D.
20 ELLERTSON, Individually, and as Class
21 Representatives, and all those similarly
22 situated,

23 Plaintiffs,
24 vs.

25 COUNTY OF ORANGE, a
26 Governmental Entity; MICHAEL S.
27 CARONA, Individually, and DOES 1
28 through 200, Inclusive,

Defendants.

Case No: SACV01-00981-ABC
(MLGx)

[Assigned to the Honorable Audrey B.
Collins – Roybal Courtroom 680]

**[PROPOSED] ORDER RE
PLAINTIFFS' MOTIONS FOR
ATTORNEYS' FEES AND COSTS**

Discovery Cut-off: June 4, 2009
Pre-Trial Conf.: August 24, 2009
Trial Date: February 9, 2010

ORDER

HAVING considered Plaintiffs' Motion for Attorneys' Fees filed on July 31, 2009 and supplemented on August 12, 2011 and Plaintiffs' Motion for Attorneys' Fees filed on August 12, 2011, as well as Plaintiffs' Motion to Tax Costs, referred to this Court by the Court Clerk to resolve prevailing-party issues, and having considered the Opposition and Reply briefs, as well as the briefing regarding evidentiary objections filed by the parties:

IT IS HEREBY ORDERED THAT:

1) Plaintiff's Motion for Attorneys' Fees Pursuant to 42 U.S.C. Section 1988 is granted in part as more specifically set forth in this Court's order of March 2, 2012;

2) Plaintiff's Motion for Attorneys' Fees Related to Claims under the ADA is granted in part as more specifically set forth in this Court's order of March 2, 2012;

3) The Court awards Plaintiffs the following amounts as fees and non-taxable costs:

a) \$508,179.85 in reasonable fees for work performed on the constitutional claims (as detailed in Attachment A to this Court's March 2, 2012 order);

b) \$1,821,557.13 in reasonable fees for pre-appeal work done on the ADA claims (as detailed in Attachment [redacted] to this Court's March 2, 2012 order);

c) \$589,686.75 in reasonable fees for post-appeal work done on the ADA claims (as detailed in Attachment [redacted] to this Court's March 2, 2012 order);

d) \$70,346.15 in attorneys' fees for bringing the two fee motions; and

e) \$225,147.53 in litigation expenses.

IT IS FURTHER ORDERED THAT:

Plaintiffs' pending Application to Tax Costs, filed on July 12, 2011, which was referred to this Court, shall be sent back to the Court Clerk with instructions to tax costs in favor of plaintiffs and, once the taxable costs are determined, divide the total amount of taxable costs incurred pre-appeal (prior to May 15, 2008) in half and deduct 30% from that amount. The Court Clerk then is directed to award the remaining 20% of that portion of taxable costs, plus the remaining 50% percent of costs incurred prior to May

1 15, 2008, plus the full amount of taxable costs incurred after May 15, 2008 to the
2 Plaintiffs in this case. Both parties may file a supplemental declaration with the Court
3 Clerk to specify the dates on which specific costs were incurred, if that information is not
4 already in the record before the Clerk. Such supplemental declarations shall be filed no
5 later than 10 days after entry of this order.

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7 DATED: March 8, 2012



8 The Honorable Audrey B. Collins
9 UNITED STATES DISTRICT JUDGE

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12 Presented By:

13 HADSELL STORMER KEENY
14 RICHARDSON & RENICK, LLP

15 /s/ - Virginia Keeny
16 Virginia Keeny
17 Attorneys for Plaintiffs