

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE NORTHEAST OHIO COALITION	:	
FOR THE HOMELESS, <i>et al.</i>,	:	
	:	
Plaintiffs,	:	Case No. 2:06-CV-896
	:	
v.	:	JUDGE ALGENON L. MARBLEY
	:	
JON HUSTED, in his official capacity as	:	Magistrate Judge Terence P. Kemp
Secretary of the State of Ohio,	:	
	:	
Defendant,	:	
	:	
&	:	
	:	
STATE OF OHIO,	:	
	:	
Intervenor-Defendant.	:	
	:	
SERVICE EMPLOYEES	:	
INTERNATIONAL UNION, LOCAL 1,	:	
<i>et al.</i>,	:	Case No. 2:12-CV-562
	:	
Plaintiffs,	:	JUDGE ALGENON L. MARBLEY
	:	
v.	:	Magistrate Judge Terence P. Kemp
	:	
JON HUSTED, <i>et al.</i>,	:	
	:	
Defendants.	:	

ORDER

This matter is before the Court for resolution of pending fees litigation in *The Northeast Ohio Coalition for the Homeless, et al., v. Husted, et al.*, Case No. 2:06-cv-896 (“NEOCH”), and *Service Employees International Union, Local 1, et al., v. Husted et al.*, Case No. 2:12-cv-562 (“SEIU”).

In 2012 and 2013, the parties engaged in litigation in these cases regarding several topics including: (1) the continuing validity of the NEOCH Consent Decree; (2) Ohio’s treatment of correct-location, wrong-precinct provisional ballots; and (3) extension of the NEOCH Consent Page 2 of 7 Decree beyond its original 2013 expiration date. On September 29, 2014, the Court granted with modification Plaintiffs’ motions for attorneys’ fees for some of their work on these matters. *NEOCH* Doc. 426; see also *NEOCH* Doc. 444 (approving Plaintiffs’ bill of costs). On appeal, the Sixth Circuit affirmed in part, vacated in part, and remanded the matter for further consideration of select issues. See generally *NEOCH v. Husted*, — F.3d —, 2016 WL 4073489 (6th Cir. Aug. 1, 2016).

The parties have agreed to resolve without further litigation the remaining fees issues for that particular work—including the proper “fees for fees” award for time spent litigating fee liability both before this Court and on appeal. The State Defendants agree to pay fees and costs in the following amounts:

The Chandra Law Firm:	\$424,242.11
McTigue & Colombo:	\$104,308.94
Altshuler Berzon:	\$1,820,000.00
Porter, Wright, Morris & Arthur:	\$133,429.29
Advancement Project:	\$4,713.57
Hunter, Carnahan:	\$131,446.87
TOTAL	\$2,618,140.78

The above amounts serve as a global resolution of attorneys’ fees and costs for time spent on the 2012 and 2013 litigation, including time spent litigating the proper amount of attorneys’ fees and costs. The parties agree there will be no further attorneys’ fees and costs motions

relating to litigation/activities undertaken before the present date in *SEIU*. The parties agree there will be no further attorneys' fees and costs motions relating to pre-2014 litigation/activities in *NEOCH*. This Order does not resolve any potential fees relating to the Second Supplemental Complaint (*NEOCH* Doc. 453), subsequent litigation in *NEOCH* related to the Second Supplemental Complaint, consent-decree monitoring from 2014 forward, and any work related to Page 3 of 7 seeking a post-2016 consent-decree extension or modification. Plaintiffs agree that this Order resolves all attorneys' fees and costs in *NEOCH* and *SEIU* that Plaintiffs have sought or could have sought for work performed before the present date, except those matters mentioned in the previous sentence.

Accordingly, the Court **GRANTS** Plaintiffs' attorneys' fees and costs in the amounts detailed above. In light of this Order, no attorneys' fees or costs motions are presently pending in either case.

Thus, in *NEOCH*, this Order resolves the following pending motions (and all additional fee/cost requests arising out of those motions and the related appeals):

- Motion of Plaintiffs *NEOCH*, *CCH*, and *ODP* for attorneys' fees and costs related to obtaining an extension of the Consent Decree (*NEOCH* Doc. 388);
- Plaintiffs' Motion for attorneys' fees and costs for work in defense of Consent Decree (*NEOCH* Doc. 393);
- Plaintiffs' Supplemental Fees Motion for preparing and defending attorneys' - fees motion related to work obtaining Consent-Decree extension (*NEOCH* Doc. 431).

In *SEIU*, this Order resolves the following pending motion (and all additional fee/cost requests arising out of that motion and the related appeals):

- Plaintiffs' Motion for attorney fees (*SEIU* Doc. 120)

The Court **DENIES as MOOT** Parties' Stipulated Motions for Extension of Time to File Stipulated Judgment Entry Regarding Fees (*NEOCH* Doc. 793; *SEIU* Doc. 154).

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: October 12, 2016