

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR KING COUNTY**

BETH AND DOUG O'NEILL,

Plaintiffs,

vs.

THE CITY OF SHORELINE, a Municipal  
Agency and DEPUTY MAYOR MAGGIE  
FIMIA, individually and in her official capacity,

Defendants.

No. 06-2-36983-1 SEA

ORDER GRANTING PLAINTIFFS'  
MOTION FOR DETERMINATION  
OF AMOUNT OF FEE AND COST  
AWARD

~~[proposed]~~

This matter came before the court on Plaintiff Doug and Beth O'Neill's Motion for Determination of Amount of Fee and Cost Award. The Court has reviewed the files and records herein, including:

1. O'Neills' Motion for Determination of Amount of Fee and Cost Award;
2. Declaration of Michele Earl-Hubbard in Support of Motion for Determination of Amount of Fee and Cost Award;
3. Declaration of Judith Endejan in Support of Motion for Determination of Amount of Fee and Cost Award;
4. Declaration of Michael Brannan in Support of Motion for Determination of Amount of Fee and Cost Award;

- 1 5. Defendants' Response to Plaintiffs' Motion for Determination of Amount of Fee and Cost Award;
- 2 6. Declaration of Ian R. Sievers in Support of Defendants' Response to Plaintiffs' Motion
- 3 for Determination of Amount of Fee and Cost Award;
- 4 7. Declaration of Flannary P. Collins in Support of Defendants' Response to Plaintiffs'
- 5 Motion for Determination of Amount of Fee and Cost Award;
- 6 8. Declaration of Darcy J. Greenleaf in Support of Defendants' Response to Plaintiffs'
- 7 Motion for Determination of Amount of Fee and Cost Award;
- 8 9. Plaintiffs' Reply Re: Motion for Determination of Amount of Fee and Cost Award;
- 9 10. Second Declaration of Michele Earl-Hubbard in Support of Motion for Determination of
- 10 Amount of Fee and Cost Award;
- 11 11. Declaration of Beth O'Neill in Support of Motion for Determination of Amount of Fee
- 12 and Cost Award;
- 13 12. Declaration of Michael G. Brannan in Support of Plaintiffs' Reply;
- 14 13. Defendants' Sur-Reply to Plaintiff's Reply;
- 15 14. Second Declaration of Flannary P. Collins with Sur-Reply and attachments thereto;
- 16 15. Documents and records in the Court file;

17 And being otherwise fully advised in the matter,

18 THE COURT HEREBY FINDS that the rates requested by Plaintiffs' counsel are  
19 reasonable and that the amount of hours expended on this litigation are reasonable. Defendants  
20 have failed to meet their burden to justify deviating from the lodestar figures proposed by Plaintiffs.

21 The Court HEREBY GRANTS Plaintiffs' Motion for Determination of Amount of Fee  
22 and Cost Award. The Court accepted statement number 4321 from Allied Law Group at the  
23 hearing updating the fees and costs of Allied Law Group for fees and costs incurred between  
24 November 14, 2012 and June 27, 2013, adding an additional 14.3 hours for Michele Earl-  
Hubbard at a rate of \$410 per hour and a total value of \$5,863.00, and additional costs of \$70.65;

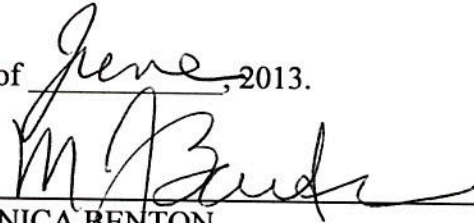
1 NOW THEREFORE, IT IS HEREBY ORDERED that Plaintiffs and their attorneys are  
2 awarded reasonable attorney's fees of ~~\$446,724.50~~ <sup>\$</sup> 428,966.18. *MA*

3 IT IS FURTHER ORDERED that Plaintiffs are awarded all costs incurred in this litigation  
4 in the amount of \$11,392.44 less the \$1803.65 awarded by the Supreme Court  
5 Clerk for a total cost award of \$9,588.79.

*\$* 438,554.97 *MA*

6 **The total fee and cost award to Plaintiffs and their attorneys is \$456,313.29.** (This is in  
7 addition to the \$100,000.00 statutory penalty award to which the parties had previously stipulated.)

8  
9 DONE IN OPEN COURT this 28 day of June, 2013.

  
\_\_\_\_\_  
MONICA BENTON  
King County Superior Court

13 Submitted by:

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MICHELE EARL-HUBBARD, WSBA# 26454  
16 MICHAEL G. BRANNAN, WSBA# 28838  
Attorneys for Plaintiffs

18 Approved as to Form:

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20 \_\_\_\_\_  
FLANNARY P. COLLINS  
21 Attorney for City of Shoreline

23 \_\_\_\_\_  
IAN SIEVERS

1 Attorney for City of Shoreline

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RAMSEY RAMERMAN  
4 Attorney for Maggie Fimia

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