

FILED FOR RECORD
CLERK CIRCUIT COURT
MADISON COUNTY FLORIDA

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TIM SANDERS, CLERK

BY _____ D.C.

IN THE CIRCUIT COURT FOR THE
THIRD JUDICIAL CIRCUIT IN AND
FOR MADISON COUNTY, FLORIDA

CASE NO.:10-589-CA

CABOODLE RANCH, INC AND CRAIG
GRANT,

Plaintiffs/Counter-defendants,

vs.

CAROLYN CAMP LOGAN, GARY L. CONLEY,
AND PAMELA JONASSON,

Defendants/Counter-plaintiffs.

ORDER GRANTING DEFENDANT'S MOTION FOR ATTORNEY'S FEES

THIS CAUSE, having come before the Court on October 6, 2012 on the Defendant's Motion for Attorney's Fees, and the Court having considered the applicable law and the arguments of counsel, the Court finds as follows:

1. With respect to attorney's fees, counsel for the Defendant, Lucas J. Taylor, testified that he, Ernest A. Sellers, and paralegal Dana Taylor expended 12.7 hours attending hearings, drafting motions, and conducting legal research regarding the discovery violations of the Plaintiffs.

2. Additionally, the Defendant incurred \$125.00 in costs (1/2 hour incurred at \$250.00 an hour) for the work of Andrew Decker, IV as an expert witness at the hearing on Defendant's Motion to Tax Costs and Award Attorney's Fees.

3. Defendant is entitled to an award of attorney's fees based on three separate Orders of attorney's fees, finding that the Plaintiffs were in contempt of court for discovery violations.

4. The Court further finds as follows:

a. A reasonable hourly rate for Lucas J. Taylor is \$150.00.

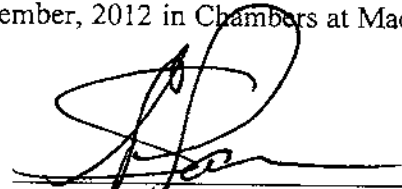
- b. A reasonable hourly rate for Ernest A. Sellers, is \$300.00.
 - c. A reasonable hourly rate for Dana A. Taylor is \$90.00.
 - d. A reasonable hourly rate for Andrew Decker, IV is \$250.00.
 - e. The 12.7 hours incurred by Lucas J. Taylor, Ernest A. Sellers, and Dana Taylor are reasonable.
 - f. The ½ hour invested by Andrew Decker, IV is reasonable.
 - g. The eight factors in Rule 4-1.5(b), Rules of Professional Conduct do not necessitate an enhancement or reduction in the lodestar amount.
 - h. The factors set forth in Rule 1.442(h)(2), Florida Rules of Civil Procedure do not warrant an upward or downward adjustment to the lodestar amount.
 - i. Therefore, pursuant to the foregoing, the Defendant is entitled to an award of attorney's fees in the amount of **\$1,918.00**
 - j. The Court finds that the Defendant is entitled to recover the cost of the expert witness, Andrew Decker, IV in the amount of **\$125.00**.
4. According to all of the foregoing, the Defendant is entitled to recover **\$2,043.00** in attorney's fees.

THEREFORE IT IS ORDERED AND ADJUED:

- A. Defendant's Motion to Tax Costs and Award Attorneys Fees is **GRANTED**;
- B. The Defendant, Gary Conley, whose address is [REDACTED] shall have and recover from the Plaintiff, Craig Grant, the sum of \$1,021.50 for his attorneys fees and costs incurred in this case that shall bear interest on the unpaid balance at the rate of 6% per annum from the date of this Judgment until paid in full, all of which let execution issue;

- C. The Defendant, Gary Conley, whose address is [REDACTED] shall have and recover from the Plaintiff, CABOODLE RANCH, INC, the sum of \$1,021.50 for his attorneys fees and costs incurred in this case that shall bear interest on the unpaid balance at the rate of 6% per annum from the date of this Judgment until paid in full, all of which let execution issue;
- D. The Defendant's separate Motion for Attorney's Fees pursuant to Florida Statute §57.105 is **DENIED**.

DONE and **ORDERED** this 14th day of November, 2012 in Chambers at Madison, Madison County, Florida, nunc pro tunc October 6, 2012.



GREGORY S. PARKER
CIRCUIT COURT JUDGE

Copies to:
Lucas Taylor, Attorney for Defendant Gary L. Conley
Gary Brown, Attorney for Plaintiffs

This certifies copies were
furnished on: 11/14/12
By: madg/DA