

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 10/24/08

DEPT. 3

HONORABLE JOSEPH R. KALIN

JUDGE

S. BARRETT

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

1

G. S. HIRONAKA, C.A.

Deputy Sheriff

J. MCASKILL #4723

Reporter

9:00 am

BC339557

Plaintiff

R. KROLL (X)

Counsel

S. JAMIESON (X)

SALVADOR MORALES

Defendant

COUNTY COUNSEL

VS

Counsel

BY B. COCHRAN (X)

L A COUNTY METROPOLITAN
TRANSPORTATION

NATURE OF PROCEEDINGS:

MOTION OF PLAINTIFF SALVADOR H. MORALES FOR REASONABLE ATTORNEYS FEES AND COSTS; (C/F 10/10/08)

Matter comes on for hearing and is argued.

Court and counsel confer re adding costs to judgment, pre-judgment interest and post-judgment interest rate. Counsel will provide pre-judgment interest amount and interest rate to the Court by October 27, 2008.

Matter is taken under submission.

LATER: The Court makes the following ruling:

Plaintiff's Motion for Reasonable Attorney Fees and Costs.

There being no motion to tax costs, costs are awarded in the amount of \$104,963.92 which will be inserted into the judgment.

Plaintiff's counsel is seeking attorney fees under the California Fair Employment and Housing Act (FEHA), Government Code section 12965(b). The jury found for Mr. Morales damages in the amount of \$2,247,130.00 Plaintiff's counsel is seeking FEHA fees for 1825.25 hours at an hourly rate as set forth in his declara-

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NATURE OF PROCEEDINGS:

tion. The Court accepts the hourly billing rate as charged by the law firm as reasonable. Counsel is requesting the attorney fees of \$517,733.75 be increased by a multiplier of 2.835 for a total of \$1,467,775.18.

The Court awards attorney fees in the amount of \$30,625 for the work performed by attorney Robert Risley, the original attorney on the case.

In reviewing the number of hours expended by plaintiff's counsel, the Court considered the arguments and opposition filed by defendant's counsel and is reducing the \$517,733.75 requested attorney fees to \$490,000 adjusting for unrelated and some duplicative work including excess charges for phone calls.

The Court having presided over the trial and observed the quality of both plaintiff's and defendant's attorney believes the outcome and the jury verdict was the result of a well-prepared and well-tried case.

Using \$490,000 as the appropriate Lodestar rate, the Court believes plaintiff's counsel is entitled to a multiplier of 2.335 resulting in an attorney fee award of \$1,144,150.00 Plaintiff's counsel is awarded additional attorney fees for preparation and appearance at this hearing in the amount of \$6250.00.

<p align="center">MINUTES ENTERED 10/24/08 COUNTY CLERK</p>

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HONORABLE JOSEPH R. KALIN JUDGE

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HONORABLE JUDGE PRO TEM

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J. MCASKILL #4723

Reporter

9:00 am

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Counsel S. JAMIESON (X)

SALVADOR MORALES

Defendant COUNTY COUNSEL

VS

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TRANSPORTATION

NATURE OF PROCEEDINGS:

CLERK'S CERTIFICATE OF MAILING/
NOTICE OF ENTRY OF ORDER

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that this date I served Notice of Entry of the above minute order of 10-24-08 upon each party or counsel named below by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original entered herein in a separate sealed envelope for each, addressed as shown below with the postage thereon fully prepaid.

Date: October 24, 2008

John A. Clarke, Executive Officer/Clerk

S. BARRETT

By: _____
S. Barrett, Judicial Assistant

Stephen Janieson
Solomon, Saltsman & Jamieson
426 Culver Blvd.
Los Angeles, CA 90293

MINUTES ENTERED 10/24/08 COUNTY CLERK

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TRANSPORTATION

NATURE OF PROCEEDINGS:

Bruce Cochran
Senior Deputy County Counsel
One Gateway Plaza, 24th Floor
Los Angeles, CA 90012-2932