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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

STEVE KELLY and CLARICE)	
DREYER,)	
)	
Plaintiffs,)	
)	
v.)	Civil No. CV-08-25-BU-SEH
)	
LINDA McCULLOCH, in her)	
official capacity as Secretary of)	
State of the State of Montana,)	
)	
Defendant.)	
_____)	

Plaintiffs' Resubmitted Motion for Costs and Attorney's Fees

Pursuant to the Court's Order of June 13, 2102 (Doc. #145), Plaintiffs, as

prevailing parties, resubmit their Motion for Costs and Attorney's Fees pursuant to 42 U.S.C. §§ 1973l(e) and 1988. As appears more fully from the attached declarations of Laughlin McDonald, Bryan Sells, Jonathan Sherman, and Elizabeth Griffing, which contain detailed summaries of hours and expenses, plaintiffs request attorney's fees in the amount of \$203,040.50, for the following number of hours expended in this case by the attorneys noted, at the rates indicated:

<u>Attorney</u>	<u>Attorney Hours</u>	<u>Hourly Rate</u>	<u>Amount</u>
Laughlin McDonald	108.15	\$450	\$48,667.75
Bryan Sells	362.25	\$350	\$126,787.75
Jonathan Sherman	40.5	\$250	\$10,125.00
Elizabeth Griffing	87.3	\$200	\$17,460.00
Total:			\$203,040.50

Plaintiffs also request an award of paralegal fees in the amount of \$3,463.75 for the following number of hours expended in this case by the paralegal noted, at the rate indicated:

<u>Paralegal</u>	<u>Paralegal Hours</u>	<u>Hourly Rate</u>	<u>Amount</u>
Katie O'Connor	40.75	\$85	\$3,463.75

The total requested amount in attorney and paralegal fees is \$206,504.25.

Plaintiffs also request an award of expenses in the amount of \$20,321.80, of which \$4,769.45 is included in plaintiffs Bill of Costs.

Plaintiffs' counsel has contacted defendant's counsel and has been advised that the State of Montana has been contacted concerning this motion and opposes the amount of attorney fees requested as excessive.

WHEREFORE, plaintiffs respectfully pray that this Court enter an award of attorney's fees and expenses in the amount of \$226,826.05.

Respectfully submitted,

/s/Laughlin McDonald

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