

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION
AT MACON, GEORGIA**



**MINUTE SHEET
OF COURT PROCEEDINGS**

Date: December 3, 2012	Type of Hearing:	Motions Hearing
Judge: Hugh Lawson	Court Reporter:	Sally Gray
Courtroom Deputy: Nora Paul	Law Clerk:	Bowen Reichert

Case Number: 5:12-cv-239-HL

Lester M. Miller, et al	Counsel:	David Walbert Charlie Cox Leroy Parks
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Bibb County School District, et al	Counsel:	Kenneth Jones Andrea Jolliffe
Macon Bibb County Board of Elections and Voter Registration (Elaine Carr)	Counsel:	Virgil Adams Donald Jordan

Disclaimer: Contents of this Minute Sheet are for administrative purposes ONLY and are NOT meant as a substitution for the official court record. Attorneys should contact the court reporter and order a transcript if there are any questions as to the contents herein.

Court time for JS10/MJSTAR = 1 hr 13 mins

10:01 am - Opening remarks by the Court.

10:02 am - Deft Bibb County School District's Motion to Dismiss, or in the alternative, Motion for Summary Judgment. Deft outlines the case and argues the motion. Deft cites case law in opposition of judgment to pay attorney fees. Deft argues that Pltf's Motion for Attorney Fees was untimely filed.

10:21 am - Pltf rebuttal. Pltf argues their Motion for Attorney Fees was timely filed and cites the Court's local rule 54.1 and entry of judgment by the clerk.

10:41 am - Deft Macon Bibb County Board of Elections has no issue on Deft's Motion to Dismiss and feels the county should not be assessed any attorney fees as they were unfairly made a party to the lawsuit and are not culpable.

10:52 am - Pltf argues the Motion for Attorney Fees was timely submitted and details the time line of the case. Pltf justifies all monies expended and the rates charged are warranted.

11:06 am - Deft rebuttal. Consent Order is non-appealable.

11:08 am - The Court is concerned that Attorney Millsaps is absent today's hearing. The Court orders the parties to convene in the jury room for negotiations in settlement of this case.

11:12 am - Hearing recessed.

12:32 pm - Reconvene. The parties have reached an agreement in the Motion for Attorney Fees and will submit a consent order within a couple of days. All other pending motions are withdrawn. The parties are ordered to contact the Court if problems arise.

12:34 pm - Hearing adjourned.