

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-015767

02/24/2025

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT
T. Aird
Deputy

WILLIAM JAMES LANE, et al.

SCOTT D FREEMAN

v.

CITY OF SCOTTSDALE, et al.

CRAIG A MORGAN

ROSA AGUILAR
JONATHAN RICHES
SHAYNA G STUART
JAKE TYLER RAPP
JOSEPH EUGENE LA RUE
DOCKET CV TX
JUDGE GORDON

Ruling on Motion for Attorney's Fees and Costs & Final Judgment

Plaintiffs' Motion for Attorney's fees and Costs (filed 11/25/24) is pending. The Court has reviewed the Motion, Defendants' Response (filed 11/25/24) and Plaintiffs' Reply (filed 12/26/24). The matter is ready for ruling.

The Court agrees that the attorney's fees are awardable under the private attorney general doctrine. *Ansley v. Banner Health Network*, 248 Ariz. 143, 153 ¶ 40 (2020). Thus, the Court also agrees that the hourly rate is not statutorily capped at \$350.00 per hour under Title 12, Ariz. Rev. Stat. §12-348(E)(1).

Further, the Court rejects Defendants' request to reduce the award of fees by up to two-thirds. All three claims are integrally related. Further, the due process claim was subsumed in the Plaintiffs' first claim.

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As to the fee request itself, the Court finds that the requested \$64,107.46 is neither unreasonable nor clearly excessive. The highest rates charged were commensurate with those billed by the City's outside counsel and the number of hours expended had a direct nexus with the litigation tasks that unfolded before this Court. Further, the number of hours legitimately include billings that occurred prior to the filing of the lawsuit on June 18, 2024 and following the entry of the mandate from the Court of Appeals.

Finally, the Court will reduce the costs request by \$260.31 for a total of \$1,080.22.

For the foregoing reasons,

IT IS ORDERED granting Plaintiffs' Motion for Attorney's fees and Costs (filed 11/25/24).

IT IS FURTHER ORDERED that Defendants shall pay Plaintiffs \$64,107.46 for the attorney's fees expended and \$1,080.22 for taxable costs with interest to accrue at the rate of 8.5% per annum commencing upon entry of this Judgment until paid in full.

IT IS FURTHER ORDERED that Judgment be entered accordingly and that there are no further matters pending in this matter. *See* Ariz. R. Civ. Proc. 54(c) (2025).

Michael D. Gordon

HONORABLE MICHAEL D. GORDON
JUDGE OF THE SUPERIOR COURT