

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-13416
Non-Argument Calendar

D.C. Docket No. 1:17-cv-20763-UU

DOUGLAS LONGHINI,
Individually,

Plaintiff - Appellee,

versus

PML ENTERPRISES, INC.,

Defendant - Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(May 14, 2019)

Before MARTIN, ROSENBAUM, and ANDERSON, Circuit Judges.

PER CURIAM:

PML Enterprises appeals the district court's award of attorneys' fees to Douglas Longhini in this Americans with Disabilities Act case. On appeal, PML Enterprises argues that the award from the court below contained an excessive number of hours given that the case did not involve any novel or difficult questions of law, the case was settled after opening statements in the bench trial, virtually no discovery was taken, and almost half of the hours sought were from the last minute introduction of a second attorney for the bench trial who duplicated the work of the initial attorney. PML Enterprises also challenges the award for the expert, pointing out that the expert prepared a 138-page report that included 136 recommendations for remediation but only 17 were ultimately required by the settlement. PML does not question Longhini's entitlement to the fees or the hourly rates sought.

"We review the award of attorneys' fees for abuse of discretion, reviewing questions of law *de novo* and reviewing findings of fact for clear error." *Bivins v. Wrap It Up, Inc.*, 548 F.3d 1348, 1351 (11th Cir. 2008). "[T]he district court must articulate the decisions it made, give principled reasons for those decisions, and show its calculation." *Norman v. Hous. Auth. of City of Montgomery*, 836 F.2d 1292, 1304 (11th Cir. 1988). "If the court disallows hours, it must explain which hours are disallowed and show why an award of these hours would be improper." *Id.* If the district court fails to adequately explain its reasoning, we will reverse and remand the case for reconsideration or further explanation.

Perkins v. Mobile Hous. Bd., 847 F.2d 735, 738 (11th Cir. 1988). Although the district court must provide an adequate explanation, that does not mean that it must exhaustively detail which fees it excluded. *Loranger v. Stierheim*, 10 F.3d 776, 783 (11th Cir. 1994). Instead, the order needs sufficient detail to allow for meaningful review of the award. *Thompson v. Pharmacy Corp. of Am.*, 334 F.3d 1242, 1244 (11th Cir. 2003).

Longhini moved for a total of \$62,789.53 for work done on the ADA case. Of that amount, \$46,847.00 was in attorneys' fees while the remaining \$15,137.53 was expert fees and costs and \$810 was for attorney costs. In the Report & Recommendation ("R&R"), the magistrate judge parsed the motion and requested amounts and reduced the attorneys' fees by \$8,667.5 to \$38,179.50 because it found some of the hours claimed excessive for the "preparation of routine, form documents." R & R at 7. It discussed each of PML Enterprises' objections to the claimed amounts, discussed their amounts' appropriateness, and either reduced or maintained them. *Id.* at 7-11. Turning to the litigation expenses, the magistrate judge agreed that the expert's fees were excessive in light of the expert's knowledge that the building was built before 1993—and thus limited in remediation—but posited that the expert had "performed certain important work and services." *Id.* at 15. Because the magistrate judge found the amount claimed excessive, it reduced it by half, to \$7,568.77. *Id.* After PML Enterprises filed

objections, arguing that the magistrate judge did not go far enough in reducing the award, the district court found that the magistrate judge had “comprehensively considered all of the Defendant’s arguments,” and adopted the R&R.

We agree with the district court and hold there was no abuse of discretion below. The R&R gave detailed analysis of why it either accepted or rejected the claimed number of hours; there are not only bare, conclusory assertions that the claimed number of hours is unreasonable. *See Steele v. Offshore Shipbuilding, Inc.*, 867 F.2d 1311, 1318 (11th Cir. 1989) (reversing and remanding the district court’s two-sentence determination that the hours were unreasonably high). Rather, the court examined the amounts claimed for the calendar call, preparation of the complaint, trial preparation, review and analysis for mediation, draft of the proposed findings of fact and conclusions of law, and draft of the motion for attorneys’ fees. The court reviewed the specific hours sought for each and explained what it thought were appropriate amounts for each. *See* R&R at 7-11. It specifically reduced by half the number of hours sought for the second attorney brought in for trial. *Id.* at 8-10. Similarly, it fully explained its rationale for reducing the expert’s fee by half. *Id.* at 15. The reasons given by the court below are well-reasoned and take into account the arguments raised by PML Enterprises. Thus, PML Enterprises has not established that the court below abused its discretion in fashioning an award and the decision of the district court is

AFFIRMED.