

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JUDITH A. NEELLEY,)
)
Plaintiff,)
)
v.)
)
CLIFFORD WALKER, LYN HEAD,)
and TERRY G. DAVIS,)
)
Defendants.)

CASE NO. 2:14-CV-269-WKW
[WO]

ORDER

Before the court is the parties’ Joint Motion for Entry of Corrected Order Concerning Costs and Attorneys’ Fees. (Doc. # 100.) The parties seek to correct a mistake in their earlier Joint Motion for Entry of an Order Concerning Costs and Attorneys’ Fees (Doc. # 98) regarding the amount and distribution of the costs and attorneys’ fees award in this case.

Plaintiff Judith A. Neelley has asserted claims for costs and attorneys’ fees. (Docs. # 96, 97.) The court finds that Plaintiff is a “prevailing party” under 42 U.S.C. § 1988. (See Docs. # 92, 93.) Plaintiff, Defendants, and their counsel represent that the parties have negotiated an agreement to resolve all claims for costs and attorneys’ fees.

Accordingly, it is ORDERED as follows:

1. The Joint Motion for Entry of Corrected Order Concerning Costs and Attorneys' Fees (Doc. # 100) is GRANTED;
2. The court's May 10, 2018 Order (Doc. # 99) is VACATED;
3. In accordance with the parties' negotiated resolution, the State of Alabama shall pay to the benefit of counsel for Plaintiff the sum \$66,896.78 (sixty-six thousand eight hundred ninety-six and 78/100 dollars) in satisfaction of all claims for costs and attorneys' fees in this matter. Such payment shall be made as follows: \$65,396.78 (sixty-five thousand three hundred ninety-six and 78/100 dollars) to Sirote and Permutt, P.C., and \$1500.00 (one thousand five hundred and 00/100 dollars) to McPhillips Shinbaum, LLP;
4. Such payments will satisfy all claims for attorneys' fees and costs, taxable and non-taxable, in this matter. Payment shall be made within sixty (60) days of the entry of this order; and
5. Plaintiff's Petition for Attorneys' Fees (Doc. # 96), Plaintiff's Supplemental Petition for Attorney Fees and Petition Supporting Sirote's Firm Petition for Attorney Fees (Doc. # 97), and the parties' Joint Motion for Entry of Order Concerning Costs and Attorneys' Fees (Doc. # 98) are DENIED as moot.

DONE this 16th day of May, 2018.

/s/ W. Keith Watkins

CHIEF UNITED STATES DISTRICT JUDGE