

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

AMERICAN CIVIL LIBERTIES
UNION OF FLORIDA INC,

Plaintiff,

v.

CASE NO. 1:07-cv-00018-MP-GRJ

DIXIE COUNTY FLORIDA,

Defendant.

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ORDER

This matter is before the Court on doc. 201, Motion for Reconsideration by American Civil Liberties Union of Florida, Inc. (“ACLU”). On January 27, 2012, the undersigned entered a report and recommendation on the ACLU’s motion for attorneys’ fees. The ACLU now moves the Court for reconsideration of the exclusion of 24.9 hours for the work it performed during the month of February 2007 for failure to comply with Local Rule 54.1(B). The ACLU points out that on April 16, 2007, the Court entered its initial scheduling order, which states that “[t]ime records for past work performed to date in this case shall be filed within 30 days from receipt of this order, or by the required filing date of the current month’s time records, whichever is later.” Doc. 14 at 6. Thus, the earliest that any report for time expended was due in this case was May 16, 2007. Accordingly, any filing prior to the May deadline was timely, including the February 2007 hours filed on March 16, 2007. Moreover, Dixie County previously represented to the ACLU that it did not object to the filing date of the February 2007 hours. Thus, despite Dixie County’s current objections and the ACLU’s failure to

correct those objections in its reply brief, the report and recommendation should be amended to award an additional \$8,915.00 for the previously disallowed 24.9 hours – 20.9 for Katon at \$350.00 per hour (\$7,315.00) and 4.0 for Marshall at \$400.00 per hour (\$1,600.00).

Accordingly, it is now **ORDERED** as follows:

1. Plaintiff's motion for reconsideration, doc. 201, is GRANTED.
2. The report and recommendation, doc. 198, is VACATED and an amended report and recommendation will be submitted.

DONE AND ORDERED this 6th day of February, 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge