

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES L. DEAN, Plaintiff, v. RICHARD T. SMITH, et al., Defendants. 4:09CV3144
LOIS P. WHITE, as Personal Representative of the Estate of Joseph White, deceased, Plaintiff, v. COUNTY OF GAGE, NEBRASKA, et al., Defendants. 4:09CV3145
KATHLEEN A. GONZALEZ, Plaintiff, v. RICHARD T. SMITH, et al., Defendants. 4:09CV3146
THOMAS W. WINSLOW, Plaintiff, v. RICHARD T. SMITH, et al., Defendants. 4:09CV3147
ADA JOANN TAYLOR, Plaintiff, v. RICHARD T. SMITH, et al., Defendants. 4:09CV3148
DEBRA SHELDEN, Plaintiff, v. COUNTY OF GAGE, NEBRASKA, et al., Defendants. 4:11CV3099

MEMORANDUM AND ORDER

After consultation with Herbert J. Friedman, Maren Lynn Chaloupka, Matthew K. Kosmicki, Robert F. Bartle, Jennifer M. Tomka, Patrick T. O'Brien and Melanie K. Whittamore-Mantzios regarding attorney fees and costs for responding to the petition for certiorari filed in the Supreme Court,<sup>1</sup>

<sup>1</sup>Douglas J. Stratton, on behalf of his firm, waived an appearance.

IT IS ORDERED that:

1. The motion for attorney fees (filing no. [723](#)<sup>2</sup>) is granted in part and denied in part. The plaintiffs Lois White, Thomas Winslow, Kathleen Gonzalez, and Ada JoAnn Taylor are awarded attorney fees of \$6,422.88 for the services of Douglas J. Stratton and \$4,245.00 for the services of Nathan J. Stratton to be attributed equally as between these plaintiffs. The application for attorney fees in the sum of \$26,125.00 is withdrawn.
2. The plaintiffs' motion for non-taxable costs (filing no. [726](#)) is granted. All the plaintiffs, and the law firm of Bartle Geir on their behalf, shall be reimbursed in the sum of \$1,203.91 for non-taxable costs.
3. The motion for attorney fees by the plaintiff James Dean (or his estate) (filing no. [732](#)) is granted in part and denied in part. The plaintiff James Dean (or his estate) is awarded attorney fees of \$2,625.00 for the services of Friedman Law Offices P.C., L.L.O. The application for costs is withdrawn.
4. A separate judgment will be issued.

April 4, 2019.

BY THE COURT:

*s/ Richard G. Kopf*

Senior United States District Judge

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<sup>2</sup>The Clerk is advised that all filing numbers used in this Order are to Case No. 4:09CV3144. The Clerk is advised to file this Order in all cases and term the identical motions in those cases in accordance with this Order.