

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOANNE WITCHKO, Derivatively on Behalf of  
Nominal Defendant AMERICAN REALTY  
CAPITAL PROPERTIES, INC.,

Plaintiff,

-against-

NICHOLAS S. SCHORSCH, et al.,

Defendants,

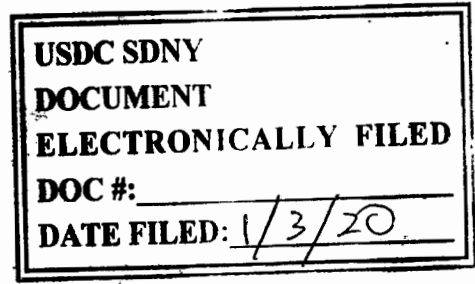
-and-

AMERICAN REALTY CAPITAL PROPERTIES,  
INC.,

Nominal Defendant.  
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**ORDER**

15 Civ. 6043 (AKH)




ALVIN K. HELLERSTEIN, U.S.D.J.:

Unless Derivative Plaintiffs’ counsel provides contemporaneous and detailed billing records showing services they performed in each particular aspect of the case and showing disbursements, their claim for attorneys’ fees will not be recognized. *See N.Y. State Ass’n for Retarded Children, Inc. v. Carey*, 711 F.2d 1136, 1147-48 (2d Cir. 1983) (“Hereafter, any attorney . . . who applies for court-ordered compensation in this Circuit for work done after the date of this opinion must document the application with contemporaneous time records. These records should specify, for each attorney, the date, the hours expended, and the nature of the work done.”); *see also Scott v. City of New York*, 626 F.3d 130, 132-34 (2d Cir. 2010).

This order requires such records as to each counsel seeking fee recovery. The records shall be filed, along with the materials referenced in my prior order dated January 3, 2020 (ECF No. 296) by January 10, 2020.

SO ORDERED.

Dated: New York, New York  
January 3, 2020

  
ALVIN K. HELLERSTEIN  
United States District Judge