

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-00670-KDB-DSC**

**CITIES4LIFE, INC., a/k/a
CITIES4LIFE CHARLOTTE ET AL.,**

Plaintiffs,

v.

CITY OF CHARLOTTE,

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiffs’ Motion for Reconsideration of Order on Attorneys’ Fees and Costs, (Doc. No. 99), and the Memorandum in Support of their motion, (Doc. No. 100). For the reasons briefly discussed below, together with the reasons stated in the Court’s Order on Attorneys’ Fees, (Doc. No. 98), the Motion will be denied.

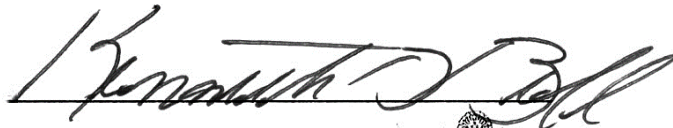
Simply put, Plaintiffs’ motion reflects an apparent misunderstanding of the Court’s opinion. Plaintiffs seek reconsideration on the grounds that the Court determined Plaintiffs’ relative degree of success based only on a rigid and mechanical “proportionality” approach comparing the number of claims brought and claims won. This is incorrect. In concluding that Plaintiffs were only 25% successful in their claims, the Court considered all of the relevant factors and arguments on both sides—including, but not limited to, the limited extent of relief awarded to Plaintiffs’ in the Consent Judgment. *See* (Doc. No. 98, at 7-10) (discussing the limitations in the Consent Judgment and noting that the “limited scope” of the Consent Judgment is relevant to Plaintiffs’ degree of success). Further, the Court well understands the civil rights nature of this action and the basis of Plaintiffs’ suit.

Plainly, Plaintiffs view their degree of success differently than the Court (and, of course, differently than the City, which views the Consent Judgment as a success for the City). In determining that \$33,701.88 constituted a reasonable award of attorneys' fees in this case, the Court carefully weighed the relevant success of the parties (all things considered) and exercised its judgment as to the overall degree of the Plaintiffs' success. The Court declines to disturb its prior ruling.

IT IS THEREFORE ORDERED that Plaintiffs' Motion for Reconsideration of Order on Attorneys' Fees and Costs, (Doc. No. 99), is **DENIED**.

SO ORDERED.

Signed: March 11, 2021

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

