

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES "JIM" TOMASIK, J. DANIEL)
TOMASIK and LIBERTARIAN PARTY)
OF TENNESSEE,)

Plaintiffs,)

v.)

MARK GOINS, Coordinator of)
Elections for the State of Tennessee;)
TRE HARGETT, Secretary of State for the)
State of Tennessee; SHELBY COUNTY)
ELECTION COMMISSION through its)
Members, Robert D. Meyers, Chairman;)
Norma Lester, Secretary; Dee Nollner)
Commissioner; Steve Stamson,)
Commissioner; and Anthony Tate,)
Commissioner,)

Defendants.)

Case No. 3:13-1118
Chief Judge Haynes

ORDER

Before the Court is Plaintiffs' motion for an award of attorney's fees (Docket Entry No. 39) that is supported by affidavits and is unopposed. The Court awarded Plaintiff a judgment on their claims that included injunctive relief. Citing 42 U.S.C. § 1988, Plaintiffs seek fees in the following amounts:


1.	James C. Linger attorney's fee	\$21,760.00
2.	Non-taxable costs and expenses expended by attorney Linger	\$866.00
3.	W. Gary Blackburn attorney's fee	\$3,465.00
	Total	\$26,091.00

These calculations are based upon 59.4 hours at \$300.00 per hour and 19.7 hours at \$200.00 for James C. Linger, and 9.9 hours at \$350.00 per hour for W. Gary Blackburn. James C. Linger also seeks expenses and cost in the amount of \$866.00. As stated, Defendants do not oppose this motion.

Considering the factors in Adcock-Ladd v. Secretary of Treasury, 227 F.3d 343 at 349 (6th Cir. 2000) and Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5th Cir. 1974), Plaintiffs' motion is **GRANTED to AWARD** Plaintiff twenty-six thousand ninety-one dollars and zero cents (\$26,091.00) in attorneys' fees and expenses pursuant to 42 U.S.C. § 1988.

It is so **ORDERED**.

ENTERED this the 27th day of January, 2014.



WILLIAM J. HAYNES, JR.
Chief Judge
United States District Court