

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION**

PEOPLE FOR THE ETHICAL TREATMENT OF
ANIMALS, INC. *et al.*,

Plaintiffs,

v.

JOSH STEIN, *et al.*,

Defendants.

Case No.: 1:16-cv-25

PLAINTIFFS' MOTION FOR ATTORNEY FEES AND COSTS UNDER 42 U.S.C. § 1988

Pursuant to Local Rules 7.3 and 54.2 and the Civil Rights Attorney's Fees Award Act, 42 U.S.C. 1988, Plaintiffs move this Court for an award of reasonable attorney fees and costs in this lawsuit. The requested fee award is appropriate because Plaintiffs prevailed on the merits of their constitutional lawsuit and achieved a permanent injunction against all challenged provisions of the North Carolina Property Protection Act. Plaintiffs request an award of \$612,009.43, in attorney fees and \$10,296.28 in costs, which will be supplemented upon the filing of a reply brief. Plaintiffs have calculated their reasonable attorney fees using the Lodestar formula.

This motion is supported by Plaintiffs' Opening Brief, the Declarations of Plaintiffs' counsel Neil Levine, David Muraskin, Daniel Bryson, Matthew Struger, and Cristina Stella, and the Declarations of Burton Craige and Mark Sigmon—two North Carolina lawyers familiar with the local attorney market. Counsel's timesheets and a breakdown of Plaintiffs' costs are attached as Exhibit A to the Declaration of Neil Levine.

Plaintiffs are also filing a Statement of Consultation, attached to this Motion, as required under Local Rule 54.2.

Respectfully submitted on August 10, 2020

s/ Neil Levine
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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of August, 2020, a copy of Plaintiffs' Motion for Attorney Fees and Costs, Supporting Opening Brief and Declarations, and Statement of Consultation were filed with the Clerk of the Court using the CM/ECF System and served by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

s/ Neil Levine
Neil Levine
Public Justice

Counsel for Plaintiffs