

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-013316

09/01/2009

HONORABLE A. CRAIG BLAKEY II

CLERK OF THE COURT
J. Rutledge
Deputy

WARNER RANCH ASSOCIATION

JOHNNY J SORENSON

v.

DANIEL E SHOOK, et al.

HOWARD R GAINES

RULING

The Court is in receipt of Plaintiff's Motion for Award of Attorneys' Fees and Non-Taxable Costs; Defendants' Response; and Plaintiffs' Reply thereto; Plaintiff's Statement of Costs and Notice of Taxation of Costs; as well as Plaintiff's Notice of Lodging Second Proposed Form of Judgment. Having considered the foregoing,

IT IS ORDERED accepting Plaintiff's Statement of Costs and Notice of Taxation of Costs.

IT IS FURTHER ORDERED sustaining, in part, and denying, in part, Defendants' objections to Plaintiff's motion regarding attorneys' fees and non-taxable costs; specifically Defendants' objections to attorneys' fees incurred prior to notice of Plaintiff's claim to the Defendants. Therefore, the Court disallows all fees incurred through May 8, 2006. The Court also strikes the time entry of March 28, 2008 in the amount of \$120.00. Therefore, the Court has reduced Plaintiff's fees in the amount of \$2,000.00 and will not grant Plaintiff's request for an additional \$1,940.00 as set forth in its reply memorandum. With respect to Plaintiff's Non-Taxable costs,

IT IS ORDERED reducing Plaintiff's request to only those amounts charged by its expert witness, whose fees total \$3,376.50.

In accordance with the foregoing, the Court this date has executed the Second Proposed Form of Judgment.