

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

2010-8717

DIVISION G

BOARD OF SUPERVISORS OF LOUISIANA STATE UNIVERSITY

AGRICULTURAL AND MECHANICAL COLLEGE

VERSUS

DEO COMPANY, INC., ET AL

JUDGMENT

On April 10, 2014, this Court heard Defendant Landowner's Motion for Award of Attorney Fees, Expert Fees, and Costs, filed by defendant, DEO Company, Inc.

Present: Randall A. Smith (#02117)
 Mary Nell Bennett (#32339)
 Counsel for DEO Company, Inc.

 Luke F. Piontek (#19979)
 Shelley Ann McGlathery (#32585)
 Counsel for Board of Supervisors of Louisiana State University and
 Agricultural and Mechanical College

Upon consideration of the pleadings, memoranda, arguments of counsel, the entire record in this matter, and the applicable law;

IT IS ORDERED, ADJUDGED AND DECREED that defendant Landowner's Motion for Award of Attorney Fees, Expert Fees, and Costs, filed by DEO is hereby GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court's Judgment of February 12, 2014 be and is hereby amended and supplemented to award DEO attorney's fees in the amount of \$269,937.00, plus interest from the date of this Judgment until paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that DEO is awarded expert witness fees and costs taxed against the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as follows:

Orleans Parish Civil Sheriff – service fees	\$250.20
Civil District Court – filing fees	\$474.50
Court Runner/Hand Delivery Charges	\$945.00
Deposition Transcript – John Robles (A1)	\$427.95
Deposition Transcript – Gayle Boudousquie (A2)	\$527.55

Deposition Transcript – Jimmie Thorns, Jr. (A3)	\$162.00
Deposition Transcript – Carlo DeMatteo (A4)	\$306.00
Deposition Transcript – Larry J. Stoltzfus, M.S. (A5)	\$1,129.15
Trial Transcripts (A6)	\$648.00
Copying Charges	\$2,295.47
Federal Express/Postage Charges	\$49.86
Long Distance Charges	\$342.30
Parking Charges	\$26.00
Westlaw Research Charges	\$301.87
Thorns Consulting – expert witness services (A7)	\$21,700.00
Jeffrey Hamill – preparation and presentation of demonstratives and Trial exhibits (A8)	\$20,675.00

for a total of \$51,260.85 plus interest from the date of this Judgment until paid.

JUDGMENT SIGNED THIS 14th day of April, 2014.



Judge Robin M. Giarrusso

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REASONS FOR JUDGMENT

This Court heard the Landowner's Motion to Assess Attorney's Fees, Expert Witness fees and Costs.

As for the attorney's fees, this Court finds that Mr. Smith is a highly experienced and well educated trial lawyer. He has a particular expertise in representing landowners in expropriation cases. This Court finds that his is entitled to be compensated by the hourly calculation of the efforts involved in this case rather than by contingency fee basis. This Court could not help but note that the State often had at least five lawyers in the courtroom. By comparison, during the trial Mr. Smith and one associate managed the trial work.

The Court finds the expert witness fee of Mr. Thorns to be reasonable. Again, the State had more than one expert to determine the value of the property at issue.

Finally, this Court has reduced one of the cost items requested by the Landowner. The landowner is entitled to the court cost, deposition costs, copying charges, postage, long distance charges, parking and legal internet research expenses. While the landowner is entitled to recover expenses for demonstratives and trial exhibits prepared by Jeffrey Hamill, this Court can find no authority for a "war room". These charges have been deducted.

SIGNED, this 14th day of April, 2014.



Judge Robin M Giarrusso