

**IN THE CIRCUIT COURT OF THE SIXTEEN JUDICIAL CIRCUIT IN AND
FOR MONROE COUNTY**

THOMAS F. COLLINS, et. al,

Plaintiffs,

vs.

CASE NO. CA-M-04-379

MONROE COUNTY, a Political
Subdivision of the State of Florida,

Defendant,

vs.

STATE OF FLORIDA

Third-Party Defendant.

MOTION TO TAX COSTS AND ATTORNEYS' FEES

COMES NOW Defendant, Monroe County (the "County") and moves the Court, pursuant to Fla. R. Civ. P. 1.525, and the Court's Final Judgment for entry of an Order of Judgment Taxing Costs and/or Attorneys' Fees. In support of this Motion, the County states:

1. On June 26, 2007, this Court entered a Final Judgment in favor of Monroe County and the State of Florida.
2. The Court "reserve[d] "jurisdiction to determine any timely filed motions to tax cots and/or attorneys' fees."
3. The County is a prevailing party.
4. The County has incurred the following costs, expenses and attorneys' fees:
 - a. Deposition Transcripts/Court Reporter Fees: \$26,125.57

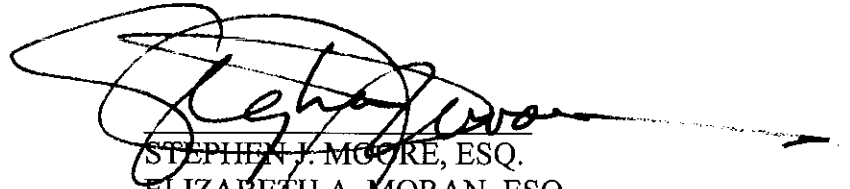
- b. Expert Fees: \$45,953.67
- c. Lodging: \$18,161.87
- d. Transportation: \$19,102.90
- e. Federal Express Shipment: \$425.36
- f. Lexis/Westlaw: \$10,361.78
- g. Postage: \$91.55
- h. Tolls: \$146.25
- i. Parking: \$666.00
- j. Gasoline: \$457.68
- k. Car Rental: \$2929.73
- l. Copies: \$3761.56
- m. Mileage Reimbursement: \$36.81
- n. Meals: \$3562.63
- o. Serve Costs for Deposition: \$210.00
- p. Facsimile: \$630.00
- q. Long Distance Phone Calls: \$1044.13
- r. Taxi Service: \$967.32
- s. Courier Service (Not Federal Express): \$367.55
- t. Mediation Costs: \$2187.94¹
- u. Attorneys' Fees: \$1,187,428.31

5. Plaintiffs have sufficient assets to compensate the County.

WHEREFORE, the County moves the Court to enter an Order of Judgment

¹ Cost and expenses for Mediation conducted on May 18, 2007 have not yet been determined. The County will augment this category when the amount is ascertained.

Taxing costs payable by Plaintiffs to the County in the amount of \$137,190.30 and attorneys' fees in the amount of \$1,187,428.31.



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CERTIFICATE OF SERVICE

The undersigned certifies that a copy hereof was mailed to James S. Mattson, Esq., P.O. Box 586, Key Largo, Florida 33037; and Andrew Tobin, Esq., P.O. Box 620, Tavernier, Florida 33070, attorneys for Plaintiffs, Jonathan Glogau, Assistant Attorney General, Department of Legal Affairs, State of Florida, 400 S. Monroe St. PL-01, Tallahassee, Florida 32399-1050, Lisa Raleigh, The Capitol, PL-01, Tallahassee Florida 32399-1055 attorneys for the State of Florida, and per agreement by email in lieu of fax to Andrew Tobin; tobinlaw@terranova.net and James Mattson; jmattson@mattsonlaw.com on this 2 July 2007



STEPHEN J. MOORE