

IN THE COUNTY COURT IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION

_____ Case No. _____
_____ Division K
Plaintiff(s),
vs.

Defendant(s),

**ORDER ON REQUIREMENTS PRELIMINARY TO HEARING
ON MOTION TO TAX COSTS AND AWARD ATTORNEY FEES**

Pending before this Court is a Motion to Tax Costs and Award Attorney's Fees. To ensure an orderly and efficient presentation and resolution of disputed taxable costs and request for attorney's fees, the parties are directed as follows:

1. The moving party shall not set its motion for attorney's fees and costs for hearing until such time as the parties have complied with paragraphs 2 through 9, herein.
2. The moving party shall provide a copy of their timesheets to the non-moving party. The moving party shall file a **Notice of Compliance** to advise the Court that a copy of the timesheets have been provided to the non-moving party and include the non-moving party on the certificate of service. Timesheets shall be served within thirty (30) days of this order.
3. The moving party's timesheets shall state the reasonable specificity the date of each task, a reasonable explanation of each task, the time the task took to perform, and the hourly rate of each person that is recoverable from the non-moving party. Costs shall also be included on the timesheets.
4. The Statewide Uniform Guidelines for Taxation of Costs in Civil Actions shall be utilized by the Court.
5. The moving party shall make available to the non-moving party all invoices and other supporting documents for any item of costs contained on the timesheets within fifteen (15) days of the specific request by the non-moving party.
6. Within thirty (30) days of service of the moving party's **Notice of Compliance**, the non-moving party's expert (unless experts are waived, in which event the non-moving party), shall respond to the moving party, in writing, to each cost, the hourly rate(s) and task stating with particularity whether he or she objects to the task, cost or hourly

- rate. The non-moving party's expert must be reasonably precise in objecting to and proving the existence of unreasonable or unnecessary attorney hours or costs and shall show the basis in fact or law for each such objection. The non-moving party shall file a **Notice of Compliance** to advise the Court that it has complied with paragraph number 5 of this Court's order. The non-moving party shall include the moving party on the certificate of service.
7. In the event, the non-moving party's expert agrees that a particular cost item or fee request is awardable, but disagrees with the dollar amount or length of time the task took to perform, the non-moving party's expert shall state in writing the dollar amount or length of time the non-moving party believes to be reasonable for the task.
 8. If parties agree to waive experts then this agreement must be reduced to writing by one of the parties. If experts are waived, the parties' attorneys must comply with this Court order.
 9. Within ten (10) days of receipt of said objections from the non-moving party's expert, the moving party shall review the objections, and then respond to each objection, stating whether the moving party concurs with said objection.
 10. **THE MOVING PARTY SHALL THEN SCHEDULE THE HEARING ON THE MOTION TO TAX COSTS AND AWARD ATTORNEY'S FEES WITH THE COURT'S JUDICIAL ASSISTANT.** The Court may thereafter order the moving and non-moving parties to attend a mediation or arbitration session strictly limited to the issue of attorney's fees and taxable costs before the fee hearing.
 11. Upon formal requests of the moving party, the non-moving party shall provide within ten (10) days of the request, to the moving party a statement as to the number of hours billed to the non-moving party's client.
 12. Not more than two (2) business days immediately preceding the hearing on the motion, the experts for the parties shall review the disputed items of costs and fees and discuss the disputed costs and fees in an effort to come to an agreement as to disputed items. The experts are ordered to attempt to narrow the issues for the fee hearing.
 13. After said discussion, the experts for the parties shall total the amount of time for each person on the moving party's timesheets said experts believes to be reasonable.
 14. Discovery shall be limited to this order. No further or additional discovery shall be permitted without order of the Court upon good cause shown.
 15. The fee hearing will be limited to only those objections provided, absent good cause shown. If any item, task, cost, length of time, or hourly rate is not objected to in writing and in compliance with this Court order, it will be presumed by this Court, the item, task, cost, and length of time and hourly rate is reasonable.
 16. Counsel and the parties are directed to exercise good faith in complying with the terms of this order. The Court may consider appropriate sanctions with regard to the failure to comply with any provision of this order, including striking all or part of fees requested and striking all or part of objections to same.

17. IF THE NON-MOVING PARTY IS CONTESTING THE MOVING PARTY'S ENTITLEMENT TO FEES AND COSTS, the non-moving party shall file a motion to stay the deadlines contained herein within thirty (30) days of the date of this order and a separate hearing shall be scheduled on the sole issue of entitlement. The deadlines contained herein shall be automatically stayed, if the motion is timely filed.

Done and Ordered in Chambers at Hillsborough County, in Tampa, Florida on this _____ day of _____, _____.

Jessica G. Costello, County Court Judge

Copies furnished to: