

IN THE COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION

Plaintiff(s),
v.

CASE NO:
DIVISION: I

Defendant(s).
_____ /

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

Pending before this Court is an Affidavit of Attorney Fees and Costs filed _____ . 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 5, herein. However, a hearing shall not be set any later than 120 days from the entry of this Order.
2. 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.
3. Discovery shall be limited to this order. No further or additional discovery shall be permitted without order of the Court upon good cause shown.
4. The moving party shall provide a copy of their timesheets to the non-moving party and file a Notice of Compliance within thirty (30) days of this Order.
 - a. The timesheets shall state with 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.

- b. Costs shall also be included on the timesheets. The Statewide Uniform Guidelines for Taxation of Costs in Civil Actions shall be utilized by the Court.
 - c. Upon specific, written requests(s), 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 ten (10) days of the request.
5. 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, and file a Notice of Compliance within thirty (30) days of the moving party's Notice of Compliance.
- a. 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.
 - b. 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.
 - c. Upon specific, written request(s), the non-moving party shall provide a statement to the moving party as to the number of hours billed to their client within ten (10) days of the request.
6. The moving party shall respond to each objection, stating whether the moving party concurs with said objection within ten (10) days of receipt of said objections from the non-moving party's expert.

7. THE MOVING PARTY SHALL THEN COORDINATE WITH OPPOSING COUNSEL AND SCHEDULE THE HEARING ON THE MOTION TO TAX COSTS AND AWARD ATTORNEY'S FEES WITH THE COURT'S JUDICIAL ASSISTANT NO LATER THAN 120 DAYS FROM THE ENTRY OF THIS ORDER. 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. If the Parties are unable to agree on a date and time, the Parties shall notify the Court via email with the estimated time requested for hearing and known conflicts/ unavailability of the Parties. The Court will schedule the hearing as soon as the Court is available.
8. Not more than two (2) business days immediately preceding the hearing on the motion, the experts for the parties shall
 - a. 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.
 - b. 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.
9. 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.
10. 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.

11. 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 Tampa, Hillsborough County, Florida, on the date and time in the signature block.

The Honorable Christine D. Edwards
COUNTY JUDGE