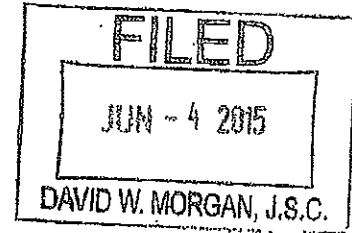


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Kara A. MacKenzie, Esq.
Attorney ID No: 005241999

CERTIFIED
TO BE A
TRUE COPY.



Attorneys for Plaintiffs
LYNN WHEELING
Our File No. 30.04.359

LYNN WEHLING, Plaintiff, vs. CUMBERLAND COUNTY, CUMBERLAND COUNTY BOARD OF CHOSEN FREEHOLDERS, CUMBERLAND COUNTY PROSECUTOR'S OFFICE, and JOHN AND JANE DOES 1-10 Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MERCER COUNTY DOCKET NO. CUM-L-534-13 Civil Action ORDER FOR FEES AND COSTS
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THIS MATTER having been brought before the Court upon the application of the Plaintiff Lynn Wehling through her attorney, Kara A. MacKenzie, Esq., of the Law Offices of Gina Mendola Longarzo, LLC, for an Order awarding costs and fees, and good cause appearing,

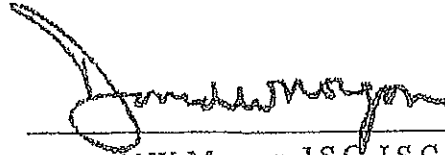
It is on this 4th day of June, 2015,

ORDERED, that pursuant to this Court's April 24, 2015 Order, and the Certification of Services and Fees submitted by Plaintiff, all costs and fees associated with Plaintiff's motion to dismiss Defendants' Answer pursuant to Rule 4:23-2 in the amount of \$ 1093.54 are to be paid to Plaintiff by Defendants within twenty (20) days of the entry of this Order; and it is further,

ORDERED that a copy of this Order be served on all interested parties within

7 days of its entry.

Determination Attached



David W. Morgan, J.S.C. J.S.C.

Papers filed with the Court:

- Answering papers (Affidavit, Brief)
- Notice of Motion
- Movant's Brief
- Reply papers
- Movant's Affidavit
- Cross Motion
- Other

Wehling v Cumberland County
CUM L 534 13

By order of April 24, 2015 this court awarded plaintiff fees to be paid by defendant for failure to comply with court order compelling discovery. A prior order had been entered awarding fees for previous issues related to defendant's failure to comply with an order for discovery. By the more recent order, this court directed plaintiff to submit a fee certification related to work in filing the subject motion, which plaintiff has satisfied and the court has reviewed. The court makes the following comments regarding the submission:

1. While this court accepts that the rate of \$350 is appropriate in the market for an attorney of Ms. MacKenzie's experience, the type of work involved in a discovery related motion is not demanding and can be performed adequately by someone with lesser capabilities. The court had set a rate of \$275 as reasonable in the prior motion, and the plaintiff has utilized that in computing the current fee request. The court finds that a reasonable course. The rate of \$100 is within the market for a paralegal.

2. The time to be included is limited to efforts in preparing, filing and meeting the most recent motion to enforce litigant's rights and compel defendant to satisfy discovery demands.

3. While the court has no doubt the time indicated in the fee certification was spent, the time is adjusted for what this court finds to be reasonable for the task indicated.

4. The time of 2.4 hours to draft the certification of counsel would appear on the higher side. The certification is four pages in length with the first page including nothing more than names and authority to submit the certification. The balance of the certification simply recounts dates and tasks from the file in the effort to obtain the requested discovery. There is no brief or references to legal authority (nor was there one needed for the type of application made). The court finds that 1.0 hour of time is more reasonable for what is shown via the certification.

5. The 1.4 hours shown to prepare the fee certification is within reason. The certification recounts the procedure leading to submission of the fee request and enumerates the tasks, dates and time for legal work performed.

6. Cost appear within reason. No other adjustments were made.

7. The reduction in awardable time of 1.4 hours translates to a deduction of \$385 (1.4 hours x \$275). The revised fee awarded is \$1093.54.

An order is annexed.

DAVID W. MORGAN, JSC