

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE NORTHEAST OHIO COALITION FOR THE HOMELESS, et al.,	:	Civil Action No. C2-06-896
	:	Judge Algenon L. Marbley
Plaintiffs,	:	
	:	
vs.	:	
	:	PLAINTIFFS' MOTION FOR
JENNIFER BRUNNER, in her official capacity as Secretary of State of Ohio, et al.,	:	RECONSIDERATION OF THIS COURT'S
	:	JULY 28, 2009 OPINION & ORDER
	:	GRANTING PLAINTIFFS' MOTIONS FOR
Defendants.	:	<u>FEES & COSTS (DOC. NO. 203)</u>

Pursuant to Fed. R. Civ. P. 54(b) and this Court's inherent authority to reconsider its orders, Plaintiffs respectfully request that the Court reconsider its July 28, 2009 Opinion & Order (Doc. No. 203), and revise it to include Mr. Chandra's requested fees relating to the 2006 Orders. A brief memorandum in support is attached.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION FOR
RECONSIDERATION OF THIS COURT'S JULY 28, 2009 OPINION & ORDER
GRANTING PLAINTIFFS' MOTIONS FOR FEES & COSTS (DOC. NO. 203)**

Pursuant to Fed. R. Civ. P. 54(b) and this Court's inherent authority to reconsider its orders, Plaintiffs respectfully request that the Court reconsider its July 28, 2009 Opinion & Order (Doc. No. 203) ("Opinion"), and revise it to include Mr. Chandra's requested fees relating to the 2006 Orders.

Briefly, the Court stated in its Opinion (p. 16 n.4) that Plaintiffs seek \$262,764.25 in fees, and \$19,211.98 in costs, for the 2006 Orders. Those numbers include only the amounts sought by Porter Wright Morris & Arthur LLP and Carlile Patchen & Murphy LLP based on their attorneys' current rates, as set forth in the supplemental declarations of Caroline Gentry and H. Ritchey Hollenbaugh (Doc. Nos. 177 & 178). They do not include the amounts sought by Subodh Chandra in the Plaintiffs' Motion for Attorneys' Fees (Doc. No. 96). Plaintiffs intended to rely upon and seek the fees requested in Mr. Chandra's original declaration (Doc. No. 96, Ex. 2), because his rates did not increase. Plaintiffs neglected, however, to notify the Court of their intention in the Supplemental Brief that they filed on January 20, 2009 (Doc. No. 176).

Accordingly, Plaintiffs respectfully request that the Court reconsider its Opinion and revise it to include an award for Mr. Chandra's fees relating to the 2006 Orders, as described in his original declaration (Doc. No. 96 at Ex. 2).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 28th, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the counsel of record in this case.

/s/ Caroline H. Gentry

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