



City of Chicago
COMMISSION ON HUMAN RELATIONS
740 N. Sedgwick, Suite 400, Chicago, IL 60654
312/744-4111 (Voice), 312/744-1081 (Fax), 312/744-1088 (TDD)

IN THE MATTER OF:

Sarah and Deborah Hamilton

Complainants,

v.

Café Descartes Acquisitions LLC d/b/a Café
Descartes

Respondent.

Case No.: 13-P-05/06

Date of Ruling: December 17, 2014

Date Mailed: January 13, 2015

TO:

Rachel Weisberg
Equip for Equality
20 N. Michigan Ave., Suite 300
Chicago, IL 60602

Jeremiah Murray
Attorney at Law
4550 W. 103rd St., Suite 201
Oak Lawn, IL 60453

FINAL ORDER ON ATTORNEY FEES AND COSTS

YOU ARE HEREBY NOTIFIED that on December 17, 2014, the Chicago Commission on Human Relations issued a Final Ruling on Attorney Fees and Costs in favor of Complainant in the above-captioned matter. The Commission orders Respondent to Complainant in the total amount of \$14,760.25 and costs in the amount of \$30.25, for a total award of \$14,790.50. The findings and specific terms of the ruling are enclosed.

Pursuant to Commission Regulations 100(15) and 250.150, a party may obtain review of this order by filing a petition for a common law *writ of certiorari* with the Chancery Division of the Circuit Court of Cook County according to applicable law at this time. Compliance with this Final Order and the Final Order on Liability and Relief entered on June 18, 2014, shall occur no later than 28 days from the date of mailing of this order.¹ Reg. 250.210.

CHICAGO COMMISSION ON HUMAN RELATIONS

¹ **Compliance Information:** Parties must comply with a final order after administrative hearing no later than 28 days from the date of mailing of the later of a Board of Commissioners' final order on liability or any final order on attorney fees and costs, unless another date is specified. CCHR Reg. 250.210. Enforcement procedures for failure to comply are stated in Reg. 250.220.

Payments of attorney fees and costs are to be made to Complainants' attorneys of record as noted above.



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FINAL RULING ON ATTORNEY FEES AND COSTS

I. INTRODUCTION

On June 18, 2014, the Chicago Commission on Human Relations issued a Final Ruling in favor of Complainants Sarah and Deb Hamilton on their claims that Respondent Café Descartes Acquisitions, LLC, d/b/a Café Descartes, subjected them to disability discrimination in a place of public accommodation in violation of Chapter 2-160 of the Chicago Municipal Code. The Commission awarded Complainants damages in the total amount of \$14,500, plus interest on the damages, and ordered fines paid to the City of Chicago in the amount of \$1,000. The Commission also awarded Complainants their reasonable attorney fees and costs. *Hamilton and Hamilton v. Café Descartes Acquisitions, LLC, d/b/a Café Descartes*, CCHR No. 13-P-05/06 (June 18, 2014).

Following that Final Ruling, in a timely petition dated August 27, 2014, Complainants requested \$15,295 in attorney fees and \$30.25 in costs. Respondent did not file any objections to the petition with the Commission. The hearing officer issued a recommended ruling on the petition on October 16, 2014. No objections were filed.

II. APPLICABLE LEGAL STANDARDS

Commission Regulation 240.630(a) requires that an attorney fee petition establish the number of hours for which compensation is sought in segments of no more than one-quarter hour itemized according to the date performed, work performed, and individual who performed the work. It also must establish the rate customarily charged by each individual for whom compensation is sought, or in the case of a public or not-for-profit law office which does not charge market rate fees, documentation of the rates prevalent in the practice of law for attorneys in the same locale with comparable experience and expertise.

The Commission has long utilized the lodestar method for calculating attorney fees. See, e.g., *Leadership Council for Metropolitan Open Communities v. Souchet*, CCHR No. 98-H-107 (May 17, 2001). Using that method, the Commission determines whether the hours spent on individual tasks were reasonable, then multiplies the number of hours by the hourly rate customarily charged by the attorneys with the level of experience of Complainant's attorney. See, e.g., *Jones v. Lagniappe-A Creole Cajun Joynt, LLC, et al.*, CCHR No. 10-E-40 (May 15, 2013) and cases cited therein.

As noted above, the Commission regulations recognize that public interest attorneys may not charge any rates or may charge reduced rates, so those attorneys must file affidavits that support their proposed hourly billable rate as the customary rates for attorneys of comparable experience and expertise in the community. *Flores v. Taste of Heaven, et al.*, CCHR No. 06-E-032 (Jan. 19, 2011). The Commission is not required to award attorney fees in an amount proportional to the amount of damages awarded. *Lockwood v. Professional Neurological Services, Ltd.*, CCHR No. 06-E-89 (Jan. 20, 2010). The party seeking attorney fees has the burden of presenting sufficient evidence from which the Commission can determine whether the requested fees are reasonable. *Brooks v. Hyde Park Realty Co.*, CCHR No. 02-E-116 (June 16, 2004).

Respondent did not file any objections to Complainant's fee petition. Despite Respondent's failure to file objections, the Commission has an independent duty to review the petition to assure that the petition conforms to its regulations and that the request is reasonable. *Warren v. Lofton & Lofton Mgmt. d/b/a McDonald's*, CCHR No. 07-P-62/63/92 (May 19, 2010).

II. APPROPRIATE HOURLY RATES

The Commission bases its awarded rates on a number of factors, including experience, expertise in the subject matter at issue, and the reasonable market rates typically charged by the attorney. See, e.g., *Ordon v. Al-Rahman Animal Hospital*, CCHR No. 92-E-139 (Nov. 17, 1993), and *Barnes v. Page*, CCHR No. 92-E-1 (Jan. 24, 1994). In determining an attorney's appropriate hourly rate for fee award purposes, the Commission has been guided by decisions of the U.S. Court of Appeals for the Seventh Circuit regarding a fee applicant's burden and the evidentiary requirements to prove the appropriate hourly rate. For example, *Sellers v. Outland*, CCHR No. 02-H-73 (Mar. 17, 2004 and Apr. 15, 2009), followed the reasoning of the Seventh Circuit as set forth in *Small v. Richard Wolf Medical Instruments Corp.*, 264 F.3d 702, 707 (7th Cir. 2001), the Commission stated:

The fee applicant bears the burden of proving the market rate. The attorney's actual billing rate for comparable work is considered to be the presumptive market rate. If, however, the court cannot determine the attorney's true billing rate—such as when the attorney maintains a contingent fee or public interest practice—the applicant can meet his or her burden by submitting affidavits from similarly experienced attorneys attesting to the rates they charge paying clients for similar work, or by submitting evidence of fee awards that the applicant has received in similar cases. Once the fee applicant has met his or her burden, the burden shifts to the defendants to demonstrate why a lower rate should be awarded.

According to Complainants' fee petition, six attorneys from Equip for Equality, a private non-profit organization, provided legal counsel to Complainants: Staff Attorney Rachel Weisberg, who served as lead attorney; Staff Attorney Rachel Arfa, who second-chaired the administrative hearing; Managing Attorney Laura Miller, Staff Attorney Leslie Arizmendi, Vice President of Systemic Litigation and Civil Rights Barry Taylor, and Senior Attorney Amy Peterson. No fees were sought for Barry Taylor and Amy Peterson in the fee petition. The fee petition was accompanied by a detailed listing of all hours for which the petitioners sought compensation; and affidavits by two Chicago-area

civil rights attorneys filed in support of the hourly rate sought by each attorney.¹

The hourly rates for each attorney for whom fees are sought are discussed separately below:

Rachel Weisberg has 6 years of legal experience; she has represented plaintiffs in civil rights cases for 3 of the 6 years. She seeks attorney fees at the rate of \$275 per hour. The petition states that Equip for Equality has established Weisberg's current billing rate at \$325 per hour, but because she had five years of experience at the time of the hearing, Weisberg proposes the \$275 per hour rate. The \$275 per hour rate is attested to by both the affiants as reasonable. Similar rates for attorneys with similar years of experience and expertise have been found reasonable by the Commission. See, e.g., *Pierce and Parker v. New Jerusalem Christian Development Corp.*, CCHR No. 07-H-12 and 07-H-13 (May 16, 2012) (a \$300 per hour rate for attorney with 5 years' experience in civil rights cases held reasonable); *Flores*, supra, (\$300 per hour rate for junior attorney with 4-5 years' experience found reasonable). The hearing officer found that Weisberg was fully prepared at all administrative appearances and represented her client very well.

Rachel Arfa has been licensed to practice law for 7 years and has represented plaintiffs in civil rights cases for three of those years. She is seeking \$325 per hour for her representation of Complainants during the administrative process. The \$325 per hour rate is attested to by both the affiants as reasonable. Similar rates for attorneys with similar years of experience and expertise have been found reasonable by the Commission. See *Lockwood*, supra (rate of \$350 per hour for "senior associate" of unspecified number of years found reasonable); *Pierce and Parker v. New Jerusalem Christian Development Corp.*, supra; and *Flores*, supra. The hearing officer determined that Arfa's contribution to this matter was limited, but based on her experience and expertise; found that a rate of \$325 per hour for Arfa is reasonable.

Laura Miller has been licensed to practice law since 1983 and has represented civil rights plaintiffs for 26 of those years in non-profit legal organizations. She is seeking \$425 per hour for her representation of Complainants during these proceedings. The \$425 per hour rate is attested to by both the affiants as reasonable. Similar rates for attorneys with similar years of experience and expertise have been found reasonable by the Commission. See *Jones*, supra (rate of \$375 per hour held reasonable for attorney with 28 years' experience); *Gray v. Scott*, CCHR No. 06-H-10 (Nov. 16, 2011) (\$350 per hour found reasonable rate for a Legal Services attorney with 25 years' experience); *Gilbert and Gray v. 7355 South Shore Condominium and Shelly Norton*, CCHR No. 01-H-18/27 (June 27, 2012) (\$425 per hour rate found reasonable for attorney with 27 years' experience in civil rights).

Leslie Arizmendi has been licensed to practice law for 5 years and has represented civil rights plaintiffs for 4 years. She is seeking \$275 per hour for her representation of Complainants at the administrative hearing. The \$275 per hour rate is attested to by both the affiants as reasonable. Similar rates for attorneys with similar years of experience and expertise have been found reasonable by the Commission. See, *Pierce and Parker v. New Jerusalem Christian Development Corp.*, supra; *Flores*, supra.

¹ The hearing officer noted that the affidavits submitted by Complainants were from Paul Strauss of the Chicago Lawyers' Committee for Civil Rights Under Law who has 33 years of private and non-profit legal practice in plaintiff's employment and civil rights cases; and David Lee who has 37 years of private practice and teaching in civil rights and employment discrimination cases.

Respondent has not objected to the requested hourly rates. The Commission adopts the hearing officer's finding that the rates requested are reasonable and should be approved. They are consistent with market rates for attorneys with similar experience levels in Chicago. See, e.g., *Lockwood*, supra., and decisions cited therein.

III. ANALYSIS OF TIMESHEETS

As required by CCHR Reg. 240.630(b), Complainants have submitted timesheets for each attorney showing the number of hours for which compensation is sought in segments of no more than one-quarter hour, itemized according to the date performed, the work performed, and the individual who performed the work. Additionally, the timesheets include details of hours for which they have decided not to charge. The analysis below approves and adopts the recommendations of the hearing officer with one modification regarding an entry for work performed by Attorney Laura Miller.

Rachel Weisberg was the lead attorney on the case. Complainant seeks compensation for 36.8 hours at \$275 for a total of \$10,120 for Weisberg's services. These hours were as follows:

Date	Hours	Description
3/28/13	0.2	Review documents to prepare for initial call to client
3/28/13	0.4	Call with D. Hamilton to discuss case
6/25/13	0.3	Call with L. Miller to discuss representation before CCHR
6/25/13	0.3	Call with P. Oakley [CCHR] re attorney appearance and status of claim so far
6/25/13	0.3	Draft attorney appearance and prepare notice of filing
6/25/13	0.4	Draft retainer agreement
6/25/13	0.5	Call with D. Hamilton re: CCHR process and our attorney representation
6/27/13	0.2	Meet with L. Miller to discuss amended retainer agreement
6/27/13	0.2	Email D. Hamilton to discuss retainer agreement
9/23/13	0.2	Call with P. Oakley re: status of investigation
9/23/13	0.2	Email D. Hamilton re: status of investigation and interview
9/23/13	0.5	Call with D. Hamilton re: status and discuss dates for telephone interview
9/24/13	0.2	Email D. Hamilton re call with P. Oakley from CCHR
9/25/13	0.5	Telephone interview with D. Hamilton, S. Hamilton and P. Oakley from CCHR
9/25/13	0.6	Meet with D. and S. Hamilton to prepare for telephone interview with P. Oakley
10/16/13	0.1	Email D. Hamilton re: finding of substantial evidence
10/16/13	0.2	Emails to/from D. Hamilton re: CCHR finding of substantial evidence
10/16/13	0.4	Review Finding of Substantial Evidence from CCHR
10/17/13	0.3	Review scheduling order and pre-hearing instructions for CCHR; email L. Miller re: finding
10/21/13	0.3	Email D. Hamilton re: police report
10/21/13	1.2	Documents
10/21/13	1.6	Review/inspect CCHR file at CCHR
10/22/13	0.3	Call with D. Hamilton re: police report and status of case
10/25/13	0.1	Email D. Hamilton re: document requests and CCHR investigative file
10/25/13	0.4	Edit request to produce
10/30/13	0.6	Finalize document requests to Café Descartes; prepare notice of filing

11/26/13	0.8	Draft motion to compel
11/27/13	0.2	Call with L. Miller re motion to compel and request for sanctions
11/27/13	0.3	Edit motion to compel per L. Miller comments
12/02/13	0.2	Prepare for pre-hearing conference
12/03/13	0.1	Review intake notes; final prep for prehearing conference
12/03/13	0.1	Email D. Hamilton re prehearing conference
12/03/13	0.3	Travel to and from CCHR for prehearing conference
12/03/13	0.7	Participate in pre-hearing conference; wait for Respondent's counsel; email A. Peterson and L. Miller re Respondent's failure to attend
12/04/13	0.1	Emails to/from D. Hamilton re default and collection of remedies
12/05/13	0.2	Email D. Hamilton re hearing date and order of default
12/05/13	0.3	Review order from Hearing Officer Yannias re hearing date and order of default
12/06/13	0.2	Emails to/from D. Hamilton re hearing
12/10/13	0.2	Emails to/from D. Hamilton re discovery sanctions
12/13/13	0.9	Review documents to prepare for hearing strategy
12/13/13	1.1	Draft pre-hearing memorandum
12/16/13	0.2	Email D. Hamilton re referrals for special needs trust
12/16/13	0.2	Emails to/from D. Hamilton re punitive and emotional distress damages
12/16/13	0.4	Research re punitive damages and emotional distress damages
12/16/13	0.6	Call with D. and S. Hamilton re documents and damages to prepare pre-hearing memorandum
12/18/13	0.2	Emails to/from D. Hamilton re hearing prep
12/19/13	0.1	Email D. Hamilton re receipt of documents
12/19/13	0.2	Review new documents to support claims in hearing
1/02/14	0.3	Meet with L. Miller to discuss strategy re damages
1/02/13	0.1	Email D. Hamilton re documents re emotional distress
1/06/14	0.3	Emails to/from D. Hamilton re emotional distress damages
1/07/14	0.2	Edit pre-hearing memorandum
1/08/14	0.2	Emails to/from D. Hamilton re pre-hearing memo
1/08/14	0.2	Emails to/from R. Arfa re attorney appearance
1/08/14	0.3	Meet with L. Miller to discuss strategy hearing and association discrimination
1/08/14	0.3	Meet with B. Taylor to discuss strategy re emotional distress damages and punitive damages
1/08/14	0.3	Prepare exhibits for pre-hearing memo; email to E. Brooks re same
1/08/14	0.4	Edits to pre-hearing memo per D. Hamilton comments
1/13/14	0.3	Review final copy of pre-hearing memo; work with B. Brooks to distribute
1/20/14	0.3	Prepare for hearing by reviewing documents; email R. Arfa re case
1/21/14	1.4	Draft direct exam for D. Hamilton and S. Hamilton
1/22/14	0.8	Edit direct exam for D. Hamilton and S. Hamilton
1/22/14	0.8	Practice and edit opening statement and closing argument
1/22/14	1.6	Draft opening and closing for hearing
1/22/14	3.6	Meet with S. Hamilton, D. Hamilton and R. Arfa to prepare witnesses
1/23/14	0.4	Final review of exam questions
1/23/14	0.6	To discuss hearing; before and after
1/23/14	0.7	Meet with L. Miller to discuss hearing
1/23/14	1.1	Final review of opening and closing statements

1/23/14	1.2	Attend hearing
1/24/14	0.1	Email D. Hamilton re hearing
1/28/14	0.1	Emails to/from D. Hamilton and S. Hamilton
3/24/14	0.1	Email D. Hamilton re Hearing Officer's recommendations
3/24/14	0.2	Call with D. Hamilton re opinion
3/24/14	0.6	Review Hearing Officer's Recommended Order re Liability and Remedies; draft summary re same; discuss with R. Arfa re same
3/31/14	0.1	Meet with B. Taylor and L. Miller re process for petitioning for attorneys' fees
4/16/14	0.1	Emails to/from D. Hamilton re next steps
6/05/14	0.1	Email to S. Hamilton re CCHR decision
6/05/14	0.3	Call to CCHR re status of Commission decision
6/06/14	0.1	Emails to/from D. Hamilton re status of decision
6/10/14	0.2	Call to K. Wallace at CCHR to ask whether Respondent filed objections
6/11/14	0.1	Call from K. Wallace at CCHR re Respondent objections
6/11/14	0.1	Email to D. Hamilton re Respondent objections
8/01/14	0.2	Call CCHR re status of order
8/05/14	0.2	Email B. Taylor, L. Miller and R. Arfa re CCHR's Final Order on Liability and Relief
8/05/14	0.2	Email D. Hamilton re final order on liability and next steps
8/05/14	0.5	Review CCHR's Final Order on Liability and Relief

Total hours: 36.8 hours

The hearing officer found that the individual entries evidence reasonable time spent for an attorney in meeting with clients, keeping clients up to date, working with supervisors and colleagues, preparing for the pre-hearing and hearing, and completing appropriate follow up, with the exception of the following items:

1. The 1.2 hours entered for October 21, 2013, is listed in its entirety as "documents" which does not provide the level of detail needed to be found reasonable.

2. The 0.2 hours entered for December 16, 2013, is regarding "referrals for special needs trust." This was not an issue in this case; therefore, it is not a reasonable expense that must be incurred by Respondent.

3. The 0.3 hours entered for January 13, 2014, was for "review final copy of pre-hearing memo; work with B. Brooks to distribute." The "work with B. Brooks to distribute" is a clerical function and must be absorbed in the attorney fee. See *Tarpein v. Polk Street Company, et al.*, CCHR No. 09-E-23 (May 4, 2012). Thus, the entry for that day is reduced to 0.2.

There are five entries for January 23, 2014, the date of the hearing. One of the entries was "to discuss hearing; before and after" without specifying the participants in the discussion. Arfa also has an entry for that date which notes that she met with Complainants (see below). It is logical that Weisberg would meet with clients both before and after the hearing and this amount will be allowed. Another entry is for meeting with "L. Miller to discuss hearing"; this entry does not specify what time of day that meeting took place. The hearing officer determined that it is logical that Weisberg would meet with Miller, a senior, experienced attorney, on that date to discuss a forthcoming hearing, and this amount is allowed.

The hearing officer recommended a total reduction in Weisberg's time of 1.5 hours, for a new total of 35.3 hours at \$275 per hour for a total of \$9,707.50. No objection to her recommendation was received, so it is approved.

Rachel Arfa is a more senior attorney than Weisberg and was second chair at the hearing. The Commission has recognized that it may be appropriate for two attorneys to work on a case so long as their activities are not excessively duplicative. See *Sleper v. Maduff & Maduff, LLC*, CCHR No. 06-E-90 (March 22, 2013); *Pierce and Parker v. New Jerusalem Christian Development Corp.*, supra; *Rankin v. 6954 N. Sheridan, Inc., et al.*, CCHR No. 08-H-49 (June 8, 2011). Citing *Sellers v. Outland*, 02-H-037 (April 24, 2009), the Commission in *Rankin* noted:

The appropriate question, therefore, is whether the time spent on a particular task was reasonable. Where two lawyers are performing separate tasks they deserve to be compensated. Where the time records reveal they are collaborating together on what would customarily be considered in the legal community to be a two-person task, then both attorneys' time is reasonable. However, where documentation of the tasks performed by each attorney is scant or where reasonable billing practices would dictate that only one attorney should be billed for the task, the second attorney's time will be disallowed.

Complainant seeks compensation for 8.7 hours at \$325 per hour for a total of \$2,827.50 for Arfa's services; she reduced her hours from 12.6 hours. The hours for which compensation is sought are as follows:

1/21/14	1	Research rules regarding admissible evidence
1/22/14	1.4	Review case materials, prepare for hearing, research CCHR evidence rules related to being permitted to ask leading questions on direct
1/22/14	3.6	Meet with S. Hamilton, D. Hamilton and R. Weisberg to prepare for hearing
1/23/14	0.6	Meet with S. Hamilton and D. Hamilton to discuss hearing
1/23/14	1.2	Attend hearing
3/24/14	0.4	Discuss with R. Weisberg re Hamilton outcome; review opinion of hearing officer
3/25/14	0.3	Reading re punitive damages
4/21/14	0.2	Emails re status of case, updates

Total: 8.7 hours

Complainants seek compensation for minimal hours for Arfa, who joined the matter shortly before the hearing, researched evidentiary issues in anticipation of the hearing, and second-chaired the hearing. The hours sought for Arfa with one exception are documented, reasonable and modest. That exception is the entry of 0.3 hours for March 25, 2014, for "reading re punitive damages." At that point in time, the hearing was completed and the recommended opinion was written; no rationale for this activity can be gleaned from the documents supporting the petition. Therefore, the hearing officer recommended that Arfa's hours be reduced to 8.4 hours at \$325 per hour, or \$2,730. No objection to this recommendation was raised, so it is adopted.

Leslie Arizmendi appears from the documents to be the original attorney assigned to the case by Equip for Equality. Complainants seek compensation for 3.9 hours at \$275 per hour for a total of \$2,827.50 for Arizmendi's services; she reduced her hours from 4.1 hours. The hours for which compensation is sought are as follows:

1/24/13	0.1	Initial call to D. Hamilton; left voicemail
1/24/13	1.9	Intake phone interview with D. Hamilton to collect facts, discuss goals, remedies and options
1/25//13	0.3	Emails to/from D. Hamilton to gather additional facts, including Café Descartes facebook pages
1/25/13	0.4	Emails to/from S. Hamilton regarding facts, goals, remedies and options
1/28/13	0.6	Intake phone interview with S. Hamilton to directly discuss her goals, remedies and further legal steps
2/01/13	0.1	Reviewed legal team's decision regarding case acceptance
2/15/13	0.1	Call to D. Hamilton; left voicemail
2/26/13	0.2	Emails to/from D. Hamilton; calls to/from D. Hamilton re representation
3/01/13	0.1	Emailed L. Miller and S. Price regarding case strategy and status
6/25/13	0.1	Rec'd voicemail from P. Oakley; forwarded call to R. Weisberg

Total: 3.9 hours

Complainants seek compensation for Arizmendi's initial meetings and conversations with them. The hearing officer determined that these entries are reasonable and moderate with two minor exceptions. The entries for February 1, 2013, and June 25, 2013, both appear to be administrative activities, which should be absorbed within this attorney's regular hourly rate of \$275. See *Tarpein*, supra. As such, Arizmendi's hours are reduced by 0.2 hours to 3.7 hours for a total of \$1,017.50. No objection to her recommendation was received, so it is approved.

Laura Miller is the managing attorney for the civil rights team for Equip for Equality. Complainants seek compensation for 3.0 hours at \$425 per hour for a total of \$1,275 for Miller's services; she reduced her hours from 4.0 hours. The hours for which compensation is sought are as follows:

6/25/13	0.3	Call with R. Weisberg to discuss whether to file an appearance in the Chicago Commission
6/27/13	0.2	Discuss revised retainer agreement with R. Weisberg
10/17/13	0.2	Email exchange re finding of substantial evidence
11/27/13	0.3	Review motion to compel; call to discuss with R. Weisberg
12/05/13	0.2	Review hearing officer default order
1/02/14	0.3	Discuss damages with R. Weisberg
1/08/14	0.3	Discuss proof needed for hearing with R. Weisberg
1/23/14	0.7	Meeting with R. Weisberg to discuss hearing
1/30/14	0.2	Call with R. Weisberg
3/25/14	0.2	Read R. Weisberg's summary of decision
3/31/14	0.1	Discussing attorney's fee process with B. Taylor and then R. Weisberg and B. Taylor

Total: 3.0 hours

Complainants seek compensation for Miller's review and support of Weisberg's efforts. The hearing officer determined these entries are reasonable and moderate with one minor exception. The hearing officer found that the entry for January 30, 2014, which was described in its entirety as, "call with R. Weisberg," did not give sufficient detail for a determination of reasonableness; and recommended a reduction of 0.2 hours. The Commission disagrees with the hearing officer that the

entry did not provide sufficient detail. It is reasonable to conclude that a conversation among attorneys working collectively on a particular case was related to efforts associated with that case. As such, the Commission approves Complainants' request for 3.0 hours compensation for Miller at \$425 per hour, for a total of \$1,275.

As the hearing officer noted, Complainants' attorneys voluntarily reduced their hours prior to submission of the petition and the total hours devoted to their representation of Complainants has been very modest and economical. The hearing officer further noted that the representation of Complainants was very professional and successful. Therefore, not further percentage reductions for excessive hours were recommended. See *Rankin*, supra, and cases cited therein. The Commission gives great weight to the hearing officer's assessment given her first-hand involvement in the administrative hearing process and approved the recommendation.

IV. COSTS

Complainants also seek compensation for \$30.25 in costs incurred for transportation to the Commission; and submitted appropriate documents supporting their request. Travel expenses have been found to be compensable expenses by the Commission. See *Tarpein*, supra. Because Respondent has not objected to these costs and the hearing officer has recommended payment, the Commission finds that Complainants' request to be compensated for \$30.25 in costs is reasonable.

V. INTEREST

Complainants have asked for "prejudgment interest on fees and costs." The Commission has awarded post-judgment interest on fees and costs when interest was sought by complainants. *Sleper v. Maduff & Maduff*, supra. The Commission adopts the recommendation of the hearing officer that interest on the award of fees and costs be calculated pursuant to CCHR Reg. 240.700, starting from the date of entry of the Final Order of Liability and Relief, on June 18, 2014.

VI. SUMMARY AND CONCLUSION

For the reasons stated above, the Commission orders Respondent to pay attorney fees and associated costs in the total amount of \$14,760.25, plus interest as follows:

1. To Attorney Rachel Weisberg—attorney fees of \$9,707.50.
2. To Attorney Rachel Arfa—attorney fees of \$2,730.00.
3. To Attorney Leslie Arizmendi—attorney fees of \$1,017.50.
4. To Attorney Laura Miller—attorney fees of \$1,275.00.

5. To each attorney respectively, post-judgment interest on the total award to the attorney starting from the date of the Final Order on Liability and Relief on June 18, 2014.
6. Costs awarded in the amount of \$30.25.

CHICAGO COMMISSION ON HUMAN RELATIONS

By: Mona Noriega
Mona Noriega, Chair and Commissioner
Entered: December 17, 2014