

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

CYNTHIA B. SCOTT, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	Case No. 3:12-cv-00036-NKM
v.)	Sr. Judge Norman K. Moon
)	
HAROLD W. CLARKE, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	

**PLAINTIFFS’ PETITION FOR AWARD OF ATTORNEYS’
FEES AND LITIGATION COSTS PURSUANT TO 42 U.S.C. § 1988**

Plaintiffs Cynthia B. Scott, *et al.* (“Plaintiffs”), by their undersigned attorneys, pursuant to the provisions of 42 U.S.C. § 1988 and the parties’ Settlement Agreement as to which this Court gave its preliminary approval by Order dated September 16, 2015 (ECF Docket No. 222), hereby petition this Court for the entry of an Order awarding Plaintiffs their recoverable attorneys’ fees and litigation costs as prevailing parties in this action in the amount of \$2,121,972.95.

Plaintiffs are, as conceded by the Defendants, prevailing parties in this litigation as contemplated by Section 1988 and, per the evidence and argument set forth in the accompanying Memorandum of Law filed in support hereof, have properly documented the hours reasonably incurred by their attorneys, the hourly rates that apply to those hours per the Prison Litigation Reform Act, 42 U.S.C. § 1997e (d)(1), (3), and the compensable litigation costs they reasonably and properly incurred in bringing this action and prosecuting it to a successful resolution.

Accordingly, an award of attorneys’ fees and litigation costs is appropriate, in the amount of \$2,121,972.95, payable by the Commonwealth of Virginia with interest accruing through the date of payment.

CONCLUSION

For the foregoing reasons, the instant Petition should be granted.

DATED: October 19, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of October, 2015, a true and correct copy of Plaintiffs' Petition for Award of Attorneys' Fees And Litigation Costs Pursuant to 42 U.S.C. § 1988 was served electronically upon the following:

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