

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
SAN BERNARDINO CIVIL DIVISION

JUN 21 2010

BY Paula Rojas
DEPUTY

MARIANNE REINHOLD (CSB 106568),
I. DAVID SACKMAN (CSB 106703) and
KENT MORIZAWA (CSB 260453), Members of
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Attorneys for Defendant SAN BERNARDINO COUNTY PUBLIC
ATTORNEYS ASSOCIATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

CASE NO. CIVDS 909445

Hon. Christopher Warner

NOTICE OF MOTION AND MOTION FOR
ATTORNEY FEES AND COSTS;
MEMORANDUM OF POINTS AND
AUTHORITIES
[Code Civ. P. § 425.16(c)]

Date: July 26, 2010
Time: 8:30 am.
Dept: S35 Civil Courts Bldg.

COUNTY OF SAN BERNARDINO, a
subdivision of the State of California,

Plaintiff,

v.

SAN BERNARDINO COUNTY PUBLIC
ATTORNEYS ASSOCIATION, a California
Corporation,

Defendant.

NOTICE is hereby given that the motion of Defendant SAN BERNARDINO COUNTY
PUBLIC ATTORNEYS ASSOCIATION for attorney fees and costs against Plaintiff COUNTY OF
SAN BERNARDINO, shall be heard at the date and time indicated above, in Department S35 of
this Court, located at 303 W. Third St., San Bernardino, California.

Plaintiff hereby moves for an award of attorneys fees and costs, pursuant to this Court's
Order Granting Defendant's Motion to Strike the Complaint, and as mandated by Code Civ. P. §
425.16(c).

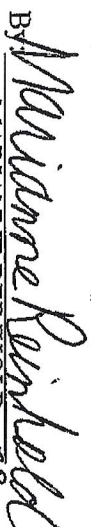
This motion is based upon this Notice and Motion, the following Memorandum of Points

1 and Authorities, the accompanying Declarations of Marriane Reinhold, all of the pleadings and
2 papers filed in this Court, and such other evidence and argument as may be presented by the
3 hearing in this matter.
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5

6 Respectfully submitted,

7 Dated: June 18, 2010

8 MARIANNE REINHOLD,
9 J. DAVID SACKMAN, and
10 KENT MORIZAWA, Members of
11 REICH, ADELL & CVITAN,
12 A Professional Law Corporation

13 By  *Marianne Reinhold*

14 MARIANNE REINHOLD *7/02*
15 Attorneys for Defendant
16 SAN BERNARDINO COUNTY PUBLIC
17 ATTORNEYS ASSOCIATION
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1 C. COSTS

2 Also included in the lodestar are out-of-pocket expenses of the type normally billed to fee-
3 paying clients. See *Beasley v. Wells Fargo Bank*, 235 Cal. App. 3d 1407, 1419-1422, 1 Cal. Rptr.
4 2d 459 (1991). These costs are discussed in paragraphs 15-16 of the Reinhold Declaration, and
5 listed in detail in Exhibit 5. Most of these are self-explanatory. The largest cost was "Document
6 Reproduction" which refers to copying done by an outside service. This was required by the large
7 amount of documents produced by the County, which had to be redacted and copied in accordance
8 with the order of this Court. [Reinhold Decl ¶ 16]. In sum, a total of \$3,447.20 in costs were
9 reasonably incurred in achieving the favorable result in the SLAPP motion.

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11 IV. CONCLUSION

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13 Having successfully defended against this SLAPP, and vindicated the Association's
14 fundamental constitutional right to represent its members and to engage in political speech in
15 connection with a public issue, defendant respectfully requests that, pursuant to section 425.16,
16 they be awarded fees and costs as follows:

| | |
|-------------------------|-------------|
| 17 Fees to Judgment | \$67,487.50 |
| 18 Fees for this Motion | \$ 8,550.00 |
| 19 Costs | \$ 3,447.20 |

20
21 Respectfully submitted,

22 Dated: June 18, 2010

23 MARIANNE REINHOLD,
24 J. DAVID SACKMAN, and
25 KENT MORIZAWA, Members of
26 REICH, ADELL & CVITAN,
27 A Professional Law Corporation

28 By: 

MARIANNE REINHOLD
Attorneys for Defendant

