

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

WHOLE WOMAN’S HEALTH; <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	CIVIL ACTION
v.	)	
	)	CASE NO. 14-CV-284-LY
JOHN HELLERSTEDT, M.D.; <i>et al.</i> ,	)	
	)	
Defendants.	)	

**PLAINTIFFS’ MOTION FOR ATTORNEY’S FEES**

TO THE HONORABLE COURT:

As the prevailing parties in this litigation, Plaintiffs, by and through their undersigned counsel, hereby move the Court for an award of reasonable attorney’s fees under 28 U.S.C. § 1988(b) in the amount of \$4,551,439.56, broken down as follows:

Fees Awarded to the Center for Reproductive Rights:	\$2,754,503.00
Nontaxable Expenses Awarded to the Center for Reproductive Rights:	\$70,462.41
Fees Awarded to Morrison & Foerster LLP:	\$1,523,768.75
Nontaxable Expenses Awarded to Morrison & Foerster LLP:	\$87,964.45
Fees Awarded to O’Connell & Soifer LLP:	\$111,231.25
Fees Awarded to John H. Bucy II:	\$3,152.50
Nontaxable Expenses Awarded to Leah M. Litman:	\$357.20
Total:	\$4,551,439.56

Plaintiffs also seek an award of reasonable attorney’s fees for any future legal work that their attorneys are required to perform in connection with this case. In addition, following entry of final judgment in this Court, Plaintiffs will file a bill of costs to recover the taxable costs incurred by their attorneys.

In support of the instant motion, Plaintiffs submit the following:

1. Memorandum of Law in Support of Plaintiffs' Motion for Attorney's Fees;
2. Proposed Order Granting Plaintiffs' Motion for Attorney's Fees;
3. Declaration of Stephanie Toti;
4. Declaration of J. Alexander Lawrence;
5. Declaration of Jan Soifer;
6. Declaration of John H. Bucy II;
7. Declaration of Heather Busby;
8. Declaration of Susan Hays;
9. Declaration of R. James George, Jr.;
10. Declaration of J. Hoke Peacock III; and
11. Declaration of Anton Metlitsky.

Plaintiffs' undersigned counsel hereby certify that counsel for the parties met and conferred in accordance with Local Rule CV-7(j)(1) but were unable to reach an agreement on this matter.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully ask the Court to enter an award of attorney's fees in the amount of \$4,551,439.56, plus additional fees for any future legal work that their attorneys are required to perform in connection with this case.

Dated: October 7, 2016

/s/ Stephanie Toti  
Stephanie Toti  
David P. Brown\*  
CENTER FOR REPRODUCTIVE RIGHTS  
199 Water Street, 22nd Floor  
New York, NY 10038  
(917) 637-3684 (ST phone)  
(917) 637-3653 (DB phone)  
stoti@reprorights.org  
dbrown@reprorights.org

J. Alexander Lawrence\*  
MORRISON & FOERSTER LLP  
250 W. 55th Street  
New York, NY 10019  
(212) 336-8638  
alawrence@mofo.com

Jan Soifer  
Texas Bar No. 18824530  
Patrick J. O'Connell  
Texas Bar No. 15179900  
O'CONNELL & SOIFER LLP  
98 San Jacinto Blvd., Ste. 540  
Austin, Texas 78701  
(512) 583-0451 (JS phone)  
(512) 852-5918 (PJO phone)  
jsoifer@oconnellsoifer.com  
poconnell@oconnellsoifer.com

\*Admitted pro hac vice

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 7, 2016, the foregoing was served on all counsel of record via the CM/ECF system.

/s/ Stephanie Toti  
Stephanie Toti

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**[PROPOSED] ORDER GRANTING PLAINTIFFS’ MOTION FOR ATTORNEY’S FEES**

Before the Court is Plaintiffs’ motion for attorney’s fees. Having considered the briefs, exhibits, and other papers on file with the Court and the arguments in support of and in opposition to Plaintiffs’ motion, the Court is of the opinion that the motion should be granted.

IT IS THEREFORE ORDERED that Defendants shall pay Plaintiffs reasonable attorney’s fees in the amount of \$4,551,439.56 for services rendered through October 7, 2016, the date on which Plaintiffs motion for attorney’s fees was filed, broken down as follows:

Fees Awarded to the Center for Reproductive Rights:	\$2,754,503.00
Nontaxable Expenses Awarded to the Center for Reproductive Rights:	\$70,462.41
Fees Awarded to Morrison & Foerster LLP:	\$1,523,768.75
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Nontaxable Expenses Awarded to Leah M. Litman:	\$357.20
Total:	\$4,551,439.56

IT IS FURTHER ORDERED that Defendants shall pay Plaintiffs reasonable attorney’s fees in the amount of \$\_\_\_\_\_ for services rendered from October 8,

2016, through today.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE