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APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

JUN 02 2015 CS/BS

MEMORANDUM

TO: Mayor Teresa Jacobs
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*
William C. Turner, Jr., Assistant County Attorney *WCT*
Contact: (407) 836-7368

DATE: May 21, 2015

SUBJECT: Consent Agenda Item for the Board Meeting on June 2, 2015;
Payment of Attorney's Fees, Court Costs and Interest in the case of
Susan Hewlings v. Orange County, Florida, Orange County Animal
Services, and Sara Zimmerman
CASE NO.: 2010-CA-16146-O

This consent agenda item requests the Board of County Commissioners to authorize the Comptroller to make a payment to Kest Law PLLC in the amount of One Hundred Eighteen Thousand Seven Hundred Seventy Five and 44/100 Dollars (\$118,775.44). Funds are available in General Fund 001-023-0413-4195. As you may recall, the lawsuit involves a Public Records request made in June 2010, directed to Orange County's Animal Services Division, in connection with a dangerous dog investigation. After two trials and two appeals on the Petitioner's entitlement to attorney's fees under the Public Records Law, the trial court held a hearing on the amount of attorney's fees and costs on May 15, 2015. After that hearing, the Court entered Judgment for attorney's fees, costs, and prejudgment interest in the amount of One Hundred Eighteen Thousand Seven Hundred Seventy Five and 44/100 (\$118,775.44). A copy of the Court's Final Judgment is attached as Exhibit A.

ACTION REQUESTED

- Authorization for the Comptroller to make a payment to Kest Law PLLC in the amount of \$118,775.44.

c: Ajit Lalchandani, County Administrator

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IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

SUSAN HEWLINGS, an individual,

Case No: 2010-CA-016146-O

Petitioner,

v.

ORANGE COUNTY, a Florida municipal
corporation, ORANGE COUNTY ANIMAL
SERVICES, a division of Orange County, and
SARAH ZIMMERMAN, in her capacity as
records custodian for Orange County Animal
Services,

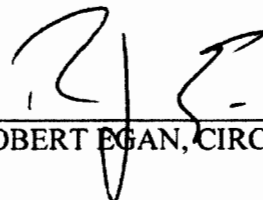
Respondents.

FINAL JUDGMENT

THIS CAUSE came before the Court after entry of judgment against Defendant Orange County and this Court being otherwise duly advised of the premises, it is hereby **CONSIDERED, ORDERED AND ADJUGED** as follows:

1. Pursuant to the Order entered by this Court on May 19, 2015, Petitioner is entitled to recover attorney's fees and costs with interest from the date of entitlement in the amount of \$118,775.44.
2. Petitioner shall recover \$118,775.44, which shall bear interest at 4.75% unless adjusted pursuant to Florida Statute 55.03, *for which let execution issue.*

DONE AND ORDERED this 19th day of May 2015, at Orlando, Orange County, Florida.



ROBERT EGAN, CIRCUIT JUDGE

Copies furnished to:
Michael M. Kest, Esq. via ECF
William "Chip" Turner, Esq. via ECF

Exhibit A