

1 ROBERT BEADLES

2 10580 N. McCarran Blvd. #115, Apt. 386

3 Reno, NV 89503

4 *Plaintiff, Pro Se*

5 **FIRST JUDICIAL DISTRICT COURT OF NEVADA**  
6 **CARSON CITY**

7 MR ROBERT BEADLES, an individual,

Case No.: 23oc001051b

8 Plaintiff,

9 vs.

Department: 1

10 JAMIE RODRIGUEZ, in her official capacity

as Registrar of Voters and in her personal  
11 capacity; the WASHOE COUNTY

REGISTRAR OF VOTERS, a government

12 agency; ERIC BROWN in his official capacity

as WASHOE COUNTY MANAGER and in his

13 personal capacity, ALEXIS HILL in her official

capacity as CHAIRWOMAN OF WASHOE

COUNTY BOARD OF COMMISSIONERS

14 and in her personal capacity; WASHOE

COUNTY, Nevada a political subdivision of the

15 State of Nevada, and DOES I-X; and ROE

CORPORATIONS I-X.

[Oral Argument Requested]

16 Defendants.

17  
18 **PROPOSED ORDER MODIFYING OPPOSITION TO DEFENDANTS' MOTION FOR**

19 **ATTORNEYS' FEES AND COSTS AND STAY OF ALL FEES AND COSTS**

20  
21 Upon consideration of the Opposition to Defendants' Motion for Attorneys' Fees and Costs, filed  
22 by Plaintiff and Appellant, Robert Beadles, in response to the court's ruling on 11/20/23, and for  
23 good cause shown therein, it is hereby:

24 **ORDERED** that the defendants' request for attorney fees and costs is subject to review based on  
the arguments presented by Robert Beadles, the Plaintiff and Appellant. It is found that:

25 **Hourly Rate Revision:** The hourly rate of \$375 as requested by the County is not warranted and  
26 is inconsistent with market rates, as demonstrated by the defense's own citations. A more

1 reasonable hourly rate is determined to be \$82 per hour, reflective of the experience and  
2 qualifications of the county attorneys in comparison to private sector counterparts.

3 **Reduction of Billed Hours:** The number of hours billed by the defense appears excessive and  
4 not wholly justifiable. Hours billed for tasks such as correspondence and travel, as well as hours  
5 attributed to unrelated case CV23-01283, are to be scrutinized and reduced accordingly.

6 **Application of Brunzell Factors:** In accordance with the Brunzell factors, the court finds that  
7 the defense has not adequately demonstrated the fulfillment of these criteria to justify the rate of  
8 \$375 per hour. The court acknowledges the importance of the case, but finds discrepancies in the  
9 defense's claims of time and skill applied.

10 **Realistic Cost Calculation:** The defense's actual pay rates, as shown in Exhibit 166, do not  
11 support a fee of \$375 per hour. The court finds that a significant markup on actual wage costs is  
12 not justifiable under NRS 18.025(2).

13 **Reasonable Total Fee if Appeal is Lost:** In the event that the Plaintiff and Appellant loses the  
14 appeal, reasonable fees, in accordance with NRS 18.025(2), would be for 166.9 hours at the rate  
15 of \$82 per hour, totaling \$13,685.80, plus costs of \$378.94, for a grand total of \$14,064.74.

16 **It is further ORDERED that:**

17 **Stay of Order:** This order and any enforcement of attorney fees and costs are STAYED pending  
18 the outcome of the appeal before the Supreme Court.

19 **Security Provided:** In accordance with NRCPC Rule 62(d), the Appellant, Robert Beadles, has  
20 provided a check as security, covering the full amount of the defense's attorney fees and costs.

21 **Maintenance of Status Quo:** The adjustments to the attorney fees and costs are necessary to  
22 prevent irreparable harm to the Appellant and to maintain the status quo during the pendency of  
23 the appeal.

24 **Service of Notice of Entry of Order:** Robert Beadles, the Plaintiff and Appellant, shall serve a  
25 notice of entry of this Order on all other parties and shall file proof of such service within 7 days  
26 after the date the court sends this Order.

27 This Order is consistent with the facts, law, and arguments contained in the Appellant's points  
and authorities in support of the Opposition to Defendants' Motion for Attorneys' Fees and Costs.

Dated: \_\_\_\_\_

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JAMES T. RUSSELL

DISTRICT JUDGE

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Submitted on 12/19/23 by:

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