

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
GENERAL CIVIL DIVISION

NEIL J. GILLESPIE,

Plaintiff,

vs.

BARKER, RODEMS & COOK, P.A.,
a Florida corporation; and WILLIAM
J. COOK,

Defendants.

COPY

**No Action
Necessary**

Case No.: 05CA7205

Division: C

FYI Only

ORDER DETERMINING AMOUNT OF SANCTIONS

THIS CAUSE came on to be heard on Thursday, March 20, 2008, on the issue of the amount of attorneys' fees Plaintiff Neil J. Gillespie shall pay to Defendants as a result of the Orders entered July 24, 2006, granting Defendants' motion to compel discovery, and July 20, 2007, granting Defendants' Amended Motion for Sanctions Pursuant to Section 57.105(1), Florida Statutes, both of which ordered Plaintiff¹ to pay Defendants' reasonable attorneys' fees and taxable costs as a sanction for his conduct, as detailed in the respective Orders.

The Court, having read and considered the proceedings, considered the testimony presented at the hearing, and after hearing from counsel, and being otherwise fully advised in the premises, finds as follows:

1. The reasonable rate for the time expended by Ryan Christopher Rodems, Esquire, who is Board Certified by the Florida Bar in the area of Civil Trial law, is \$350.00 per hour. The

¹ Plaintiff's counsel, Robert W. Bauer, Esquire, entered his Notice of Appearance after the occurrence of Plaintiff's conduct which subjected Plaintiff to sanctions under section 57.105(1), Florida Statutes, and therefore, the Court ruled in the July 20, 2007 Order, Mr. Bauer is not subject to sanctions under section 57.105(1), Florida Statutes.

reasonable number of hours expended by Mr. Rodems on this matter is thirty (30).

2. The reasonable rate for the time expended by John W. Gardner, Esquire, is \$300.00 per hour. The reasonable number of hours expended by Mr. Gardner on this matter is three and one-half (3.5).

Based on the foregoing, it is ORDERED and ADJUDGED that Plaintiff shall pay Defendants a total of \$11,550.00 for attorneys' fees and taxable costs.

DONE AND ORDERED in Chambers this _____ day of March, 2008.

ORIGINAL SIGNED

MAR 27 2008

**JAMES M. BARTON, II
CIRCUIT JUDGE**

James M. Barton, II
Circuit Judge

Copies to:
Robert W. Bauer, Esquire (Counsel for Plaintiff)
Ryan Christopher Rodems, Esquire (Counsel for Defendants)