

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

MICHAEL MOORE, CHARLES HOOKS,)
PEGGY FECHTER, JON MAIER, SECOND)
AMENDMENT FOUNDATION, INC., and)
ILLINOIS CARRY,)

Plaintiffs,)

v.)

Case No. 3:11-CV-3134

LISA MADIGAN, in her official capacity as)
Attorney General of the State of Illinois, and)
HIRAM GRAU, in his official capacity as)
Director of the Illinois State Police,)

Defendants.)

NOTICE OF SUPPLEMENTAL AUTHORITY

COME NOW the Plaintiffs, MICHAEL MOORE, CHARLES HOOKS, PEGGY FECHTER, JON MAIER, SECOND AMENDMENT FOUNDATION, INC. and ILLINOIS CARRY, by and through counsel, and in providing the Court with notice of the following supplemental authority as to the pending issues in this matter, state as follows:

As the Court may recall, the main matter remaining in this dispute is the amount of attorney’s fees to be awarded to Plaintiffs pursuant to 42 U.S.C. § 1988. Defendants have filed a Response to Plaintiffs’ pending Fee Petition challenging, in part, Plaintiffs’ counsels’ hourly rates.

Attached hereto as supplemental authority are the Joint Statement, Unopposed Motion for Attorney’s Fees and Order of Court awarding fees to the plaintiffs’ attorneys in *Illinois Association of Firearms Retailers v. City of Chicago*, 1:10-CV-4184 (N.D.Ill. 2014). That case overturned the City of Chicago’s ban on gun stores, and was based on the ruling of, and indeed,

could not have been litigated without, the precedent of the Seventh Circuit's ruling in this case.

The plaintiffs' counsel in the *Illinois Retailers* case was in main part the same counsel that served as plaintiffs' counsel in the *Shepard v. Madigan* case (3:11-CV-405 (S.D.Ill.)), which was of course the case consolidated with this case in the Seventh Circuit.

The documents show that in the *Illinois Retailers* case the City of Chicago agreed to rates for the experienced attorneys (except for local counsel) from \$635.00/hour - \$975.00/hour.

The documents also demonstrate that plaintiffs (and their counsel) in the *Illinois Retailers* case were awarded \$940,000.00 (\$817,683.18 in fees plus \$122,316.82 in costs), in a case that saw no appeal. The amount of fees is more than four times the amount currently requested by Plaintiffs in this matter.

Given the rates sought by Plaintiffs' counsel in this case, and the work performed and results achieved, the fee award in the *Illinois Retailers* case is relevant to the pending fee issues in this matter.

Respectfully submitted,

/s/ David G. Sigale
One of the Attorneys for Plaintiffs

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NOTICE OF ELECTRONIC FILING

The undersigned certifies that:

1. On July 17, 2014, the Plaintiffs electronically filed their Notice of Supplemental Authority with the District Court Clerk via CM/ECF filing system;
2. Pursuant to F.R.Civ.P. 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/ David G. Sigale
One of the Attorneys for Plaintiff