

**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 (as Exhibit “A”) is the Court’s decision in *JVLHC LLC v. Henderson*, 2011 CA3696 B (Sup. Ct. D.C., June 26, 2014), a commercial defamation case. As a result of discovery violations by the defendant, plaintiff was awarded attorney’s fees. The Court determined, in relevant part, that plaintiff’s counsel hourly rate of

\$638.75 was reasonable, based on his declaration and the modified Laffey Matrix effective on June 1, 2013 (*See* pp. 6, 11 of Exhibit “A”).

From [www.martindale.com](http://www.martindale.com) (specifically <http://www.martindale.com/Matthew-August-LeFande/3167517-lawyer.htm>), LeFande is a civil rights attorney practicing in Arlington Virginia, who was admitted in 2002. That is seven years after Alan Gura, six years after David Sigale, and only one year prior to David Jensen. Mr. LeFande’s website ([www.lefande.com](http://www.lefande.com)) shows much involvement and success in the civil rights area of practice, similar to Plaintiffs’ counsel in this case. Though the *JVLHC LLC* case is but one example of fees awarded to a civil rights attorney (the declarations of the plaintiff’s attorneys in *Shepard v. Madigan* display other examples), the case provides a useful frame of reference for the Court.

Therefore, given the rates sought by Plaintiffs’ counsel in this case, and the work performed and results achieved, the fee award in the *JVLHC LLC* case is relevant to the pending fee issues in this matter.

Respectfully submitted,

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

David Jensen, Esq.  
DAVID JENSEN PLLC  
111 John Street, Suite 420  
New York, New York 10038  
Tel: 212.380.6615  
david@djensenpllc.com

David G. Sigale, Esq. (#6238103)  
LAW FIRM OF DAVID G. SIGALE, P.C.  
739 Roosevelt Road, Suite 304  
Glen Ellyn, IL 60137  
630.452.4547  
dsigale@sigalelaw.com

Attorneys for Plaintiffs

**NOTICE OF ELECTRONIC FILING**

The undersigned certifies that:

1. On October 7, 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.

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