

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

IN RE: SLEP-TONE ENTERTAINMENT CORP.
Consolidated cases.

CASE NO. 5:11cv32-RS/CJK

VERIFIED PETITION FOR ATTORNEY FEES

Mitch Dever, as attorney for Green Glass Mall, Inc. and Donovan's Reef Lounge & Package Store, Inc., petitions this Honorable Court for an attorney's fee in the amount of \$2,205.00 at the expense of the Plaintiff, Slep-Tone Entertainment Corp., and says:

1. The undersigned attorney is engaged in the active practice of law in the State of Florida and has been licensed to practice law in this state since 1992.
2. The undersigned has represented Green Glass Mall, Inc. and Donovan's Reef Lounge & Package Store, Inc. since 1999.
3. Since 1992, approximately 25% of the practice of the undersigned has been devoted to representing small businesses.
4. Throughout said 20 years of law practice, the undersigned has handled hundreds of commercial litigation cases and has personally tried several cases through entry of Final Judgment.
5. In the prosecution of the order of May 2, 2012 requiring Plaintiff to pay \$2,026.50 to Donovan's Reef, the firm of Mitch Dever, P.A. has expended approximately 9.8 hours in enforcing that order. A breakdown of the attorney time expended with respect to this issue is as follows:

5/21/12	Review of Plaintiff's Objection	.4 hr.
5/25/12	Research – Rule 72(a)	.8 hr.
5/28/12	Preparation of Motion for Sanctions	1.6 hr.
5/28/12	Telephone conference with Harrington	.1 hr.
5/28/12	Research – Deposit of Funds w/Court	.9 hr.
5/29/12	E-mail from Harrington	.2 hr.
5/29/12	Review Order of 5/2/12	.2 hr.
5/29/12	Review file	.5 hr.
5/29/12	Research – Rules, Times	.2 hr.
5/29/12	Letter to Harrington	.2 hr.
6/01/12	Letter to client	.2 hr.
6/04/12	Telephone conference with Harrington	.1 hr.
6/04/12	Preparation of Second Motion for Sanctions	.6 hr.
6/16/12	Receipt/Review of Plaintiff's Response	.4 hr.
6/22/12	Receipt/Review of Order	.3 hr.
6/25/12	Letter to client	.3 hr.
6/25/12	Telephone conference with Harrington	.4 hr.
6/26/12	Letter to Harrington	.4 hr.
7/09/11	Telephone conference with Harrington	.2 hr.
7/11/12	Preparation of Verified Petition for Fees	.9 hr.
7/12/12	Telephone conference with attorney Applebaum	.3 hr.
7/12/12	Review Petition with attorney Applebaum	<u>.6 hr.</u>
Total:		9.8 hr.

6. After Plaintiff refused to timely submit payment and then obligating Mitch Dever, P.A. to hold the funds in trust, two (2) Motions for Sanctions were required to be filed with this Honorable Court.

7. This Honorable Court issued its Order on June 22, 2012 requiring the Plaintiff to provide the payment, with interest, with no restrictions.

8. In conjunction with the Order of June 22, 2012, the Plaintiff was required to pay a reasonable attorney's fee. This Honorable Court's Order of June 22, 2012, reads as follows: "... plaintiff's attorney will be required to pay to the defendant reasonable attorney's fees associated with filing of the two motions for sanctions."

9. In determining the amount of attorney time and the hourly attorney's fee to be awarded there are several factors that need to be given due consideration. First, all of the time that was spent on these issues was necessary due to the resistance of the

Plaintiff. Second, the undersigned is an experienced trial attorney, who has personally handled hundreds of commercial litigation cases, and has an excellent reputation in the community for ethical representation of small businesses in a zealous and effective manner. Third, this matter involved several legal issues, including the obligation to hold funds in trust if demanded by opposing counsel.

10. A reasonable attorney's fee with regard to the above described issue would be \$2,205.00 based on 9.8 hours at \$225.00 an hour.

WHEREFORE, the undersigned requests that this Honorable Court enter an order awarding an attorney's fee of \$2,205.00 on behalf of the undersigned.


DATED this 12 day of July, 2012.


Mitch Dever

STATE OF FLORIDA
COUNTY OF BAY

SWORN TO AND SUBSCRIBED before me, a Notary Public, in and for said County and State, this 12 day of July, 2012, by MITCH DEVER, who is personally known to me and who did not take an oath.




Notary Public (signature)

My commission expires:

Notary Public (printed name)


Mitch Dever

Attorney For Green Glass Mall, Inc. and
Donovan's Reef Lounge & Package Store, Inc.
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CERTIFICATE OF SERVICE

I hereby certify that on 7/12, 2012, the above and foregoing has been electronically filed in the United States District Court, Northern District of Florida, by using the CM/ECF system, which will send notification of such filing to all persons registered for this case, including Plaintiff's counsel.



Mitch Dever