

**CIRCUIT COURT OF THE 20th JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA**

SCOTT MOORE, an individual,

Plaintiff,

v.

MASON CLASSICAL ACADEMY, INC., a Florida
not for profit corporation,

Defendant.

CIVIL ACTION

Case No. 20-CA-1471

Judge: Elizabeth Krier

DECLARATION IN RESPECT TO ATTORNEY'S FEES

1. My name is Bradley P. Rothman, and I am over the age of 18 years old.
2. I am a practicing attorney duly authorized to practice law before all the Courts of the State of Florida.
3. I have been engaged in the practice of law in Collier County, Florida, and have been practicing in the State of Florida for 17-years and I am certified as an expert in labor and employment law by The Florida Bar.
4. I am familiar with the fees generally allowed to attorneys representing the Plaintiff in suits of this nature in the State of Florida.
5. I have examined the file in connection with the above-captioned proceedings now pending in the Court of the County styled above, including the time records for the work performed.
6. In reaching my opinion, I have taken into consideration all of the factors set forth in 4-1.5 of the Rules of Professional Conduct.

7. In my opinion a reasonable fee to be allowed Plaintiff for the services of his attorney in relation to obtaining Temporary Reinstatement in this case is \$29,050.00. This is based upon reasonable hourly rates of \$350.00 and 83.0 hours of time expended in performing the work. I am very familiar with Plaintiff's counsel, who is also a Board Certified Expert in labor and employment law with more than a decade of experience and who has an excellent reputation in the local legal community. An hourly rate of \$350.00 per hour is eminently reasonable.

8. This would also be a case where a contingent fee multiplier may be appropriate. First, there are very few labor and employment attorneys in Southwest Florida that represent employees, and less than a handful of them are Board Certified Experts in the field. Second, most of the attorneys would not have agreed to prosecute what can be difficult, complex and risky employment law case on a strictly contingency basis. Third, there is no way for Plaintiff's counsel to have mitigated against the risk of loss. Had the Plaintiff lost, Plaintiff's counsel would have been compensated nothing for the 83.0 hours he expended. Fourth, prosecuting this matter on a contingency basis was required because no unemployed person could reasonably afford \$29,050 in fees on just one motion alone. Fifth, the result obtained by Plaintiff's counsel was an unqualified, complete success. These factors support a multiplier of 2.0 being added.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 14, 2020.



Bradley P. Rothman
Florida Bar No. 677345