

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

RACHEL TUDOR,

Plaintiff-Intervenor,

v.

Case No. 15-cv-324-C

SOUTHEASTERN OKLAHOMA STATE
UNIVERSITY, and

THE REGIONAL UNIVERSITY
SYSTEM OF OKLAHOMA,

Defendants.

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO RESPOND TO
MOTIONS FOR ATTORNEY FEES, COSTS AND EXPENSES**

Defendants, Southeastern Oklahoma State University, ("SEOSU"), and The Regional University System of Oklahoma ("RUSO"), ("Defendants"), pursuant to LCvR 7.1(h), respectfully request a ninety-day (90) extension of time to respond to the three motions for attorney fees, costs and expenses filed by Plaintiff [Doc. 303], Law Office of Jillian T. Weiss [Doc. 301], and the Transgender Legal Defense and Education Fund ("TLDEF")[Doc.306]. In support of their motion, Defendants show the Court as follows:

1. Plaintiff's Motion was filed on June 20, 2018, seeking fees, costs and expenses incurred by the Law Firm of Ezra Young, National Litigation Law Group, Law Office of Marie E. Galindo, and the Lewis Feinberg Lee and Jackson Law firm, a firm with absolutely no involvement in this federal court litigation, and no longer

in existence. In total, Plaintiff's motion is seeking \$1,085,870.25 for attorney fees and \$21,453 for additional expenses not included in Plaintiff's Bill of Costs.

2. The Law Office of Jillian T. Weiss for Attorney Fees and Costs also filed its motion on June 20, 2018, seeking \$211,325 in attorney fees and \$10,219 in expenses, for the period April 2014 through May 24, 2017.

3. Transgender Legal Defense and Education Fund filed its Application to join in Plaintiff's Fee Request on June 21, 2018, one day past the deadline, seeking \$119,770 in attorney fees and \$3,236.68 in expenses for the period of August 31, 2016 through May 24, 2017. TLDEF contends Plaintiff's counsel erroneously and intentionally excluded these fees and expenses from Plaintiff's motion.

4. Defendants' responses to these motions are due on July 5 and 6, respectively.

5. These motions, each filed by attorneys that claim to have represented Dr. Tudor at some point following her departure from SEOSU, raise numerous arguments asserting rights to fees, and are accompanied by hundreds of entries with minimal or no supporting documentation.

6. The three (3) motions for attorney fees and costs reveal the acrimonious relationship among the firms and/or counsel seeking fees – i.e. animosity and lack of cooperation among the three (3) entities, Ezra Young, PC, Jillian Weiss & Assoc, and TLDF, each of which contend they performed significant work to assist Dr. Tudor. In addition, these motions raise significant questions regarding the great disparity in

hourly rates sought, the excessive number of hours billed, and the reasonableness of tasks performed.

7. Defendants are entitled to the contemporaneous notes of billing entries, supporting documentation for all requested expenses, and justification for fee requests for six (6) law firms, and multiple attorneys, some of which worked for a firm no longer in existence.

8. Defendants seek additional time to properly review, research, and develop responses to these requests, including potentially conducting discovery if Plaintiff's multiple attorneys are uncooperative in providing necessary information.

9. The requested extension will allow Defendants to incorporate into their responses relevant and necessary information regarding the currently unsubstantiated requested fees and expenses.

10. In addition, Defendants intend to file their Rule 50 Motion on or before July 5, 2018, which may result in additional fee requests from Plaintiff's counsel. The requested extension would permit Defendants to respond to all fee requests at the same time.

11. Counsel for Plaintiff does not object to the requested extension. Jillian Weiss does not object to the requested extension. Counsel for TLDEF, Mr. Watts, is unavailable today due to a deposition and therefore, has not had an opportunity to respond to Defendants' counsel's inquiry regarding the requested extension.

12. Defendants have not requested an extension of any post-trial deadlines. All parties requested and received various extensions of previous, pre-trial deadlines.

In addition to the need for supporting documentation, Defendants anticipate discovery will be needed regarding the necessity and role of out-of-state counsel, counsels' involvement during the administrative process, the effect of DOJ's representation, and the contractual agreements/obligations among counsel.

13. There will be no impact on any scheduled deadlines if the extension is granted.

For the reasons set forth above, Defendants respectfully request this Court grant Defendants a ninety (90) day extension, until October 26, 2018, to respond to the Motions for Attorney Fees and Expenses filed by Plaintiff, the Law Office of Jillian T. Weiss, and the Transgender Legal Defense and Education Fund.

Respectfully submitted,

/s/ Dixie L. Coffey

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of June 2018, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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