

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

LLOYD AUSTIN, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

NICHOLAS HARRISON, ET AL.,

PLAINTIFFS,

v.

LLOYD AUSTIN, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-00641

**NOTICE OF WITHDRAWAL OF
MOTION FOR ATTORNEY’S FEES AND COSTS**

Consistent with the Court’s order of August 29, 2022 (Dkt. No. 340) partially granting parties’ Joint Motion to Hold Fee Petition in Abeyance (Dkt. No. 339), parties have continued to confer in efforts to resolve Plaintiffs’ Motion for Attorney’s Fees and Costs (“Fee Petition,” Dkt. No. 328) and have agreed to a resolution. Defendants have agreed to pay Plaintiffs the sum of \$1,325,000.00 in full satisfaction of Plaintiffs’ EAJA claim for attorney’s fees and other expenses in *Roe v. Austin*, No. 1:18-cv-01565 and *Harrison v. Austin*, No. 1:18-cv-00641. There being nothing left to consider with regard to attorney’s fees and other expenses through to September 20, 2022, Plaintiffs withdraw their pending Fee Petition.

Dated: September 20, 2022

Scott A. Schoettes*
sschoettes@gmail.com
SCOTT SCHOETTES, ESQ.
4728 N Malden St. #2 South
Chicago, IL 60640
T: (773) 474-9250

Kara Ingelhart*
KIngelhart@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
65 E Wacker Pl., Suite 2000
Chicago, IL 60601
T: (312) 663-4413

Gregory R. Nevins*
GNevins@lambdalegal.org
LAMBDA LEGAL DEFENSE AND
EDUCATION FUND, INC.
1 West Court Square, Ste. 105
Decatur, GA 30030
T: (404) 897-1800

Peter Perkowski*
pperkowski@perkowskilegal.com
PERKOWSKI LEGAL, PC
515 S. Flower St., Suite 1800
Los Angeles, CA 90071
T: (213) 340-5796

**pro hac vice*

Respectfully submitted,
/s/ John W. H. Harding
John W.H. Harding
Virginia State Bar No. 87602
JWHarding@winston.com
Lauren Gailey*
LGAiley@winston.com
WINSTON & STRAWN LLP
1901 L St., NW
Washington, DC 20036
T: (202) 282-5000

Julie A. Bauer*
JBauer@winston.com
WINSTON & STRAWN LLP
35 W. Wacker Dr.
Chicago, IL 60601
T: (312) 558-560

Andrew R. Sommer
Virginia State Bar No. 70304
Sommera@gtlaw.com
GREENBERG TRAUERIG, LLP
1750 Tysons Boulevard
Suite 1000
McLean, VA 22102
T: (703) 749-1370