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**IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS
WESTERN DISTRICT
CIVIL DIVISION**

HARVEY EDWARDS

VS.

CASE NO.: CV-2005-385(JF)

DEFENDANTS

**CITY OF JONESBORO, A
MUNICIPAL CORPORATION;
DOUG FORMON, MAYOR;
CECIL PROVINCE; JIM HARGIS;
ALEC FARMER; ANN WILLIAMS;
CHRIS MOORE; DARREL DOVER;
JIMMIE ASHLEY; JUDY FURR;
TIM MCCALL; MITCH JOHNSON;
JOHN STREET; HAROLD PERRIN,
(CITY COUNCIL)**

ORDER

ON THIS THE 12th day of January, 2010, this case comes on before the Court upon the Petition for Attorney's Fees filed by Hunter J. Hanshaw on behalf of Plaintiff Harvey Edwards. After having considered the Motion, the Court finds that:

1. The Plaintiff is awarded costs as follows:

- | | |
|------------------------|------------|
| a. Filing Fee | \$ 127.50 |
| b. Process Service Fee | \$1,595.00 |
| c. Witness Fee | \$ 490.00 |

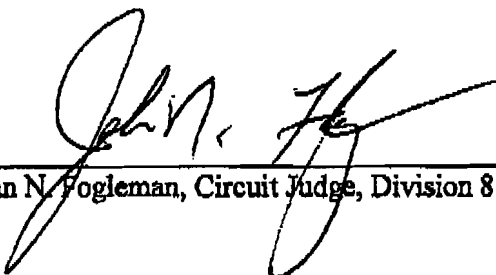
2. The Plaintiff is awarded additional Property Taxes only upon proof that they have actually been paid.

3. Plaintiff is denied recovery of expert witness fees, as expert witness fees that are unnecessary to meet a party's burden of proof are not recoverable.

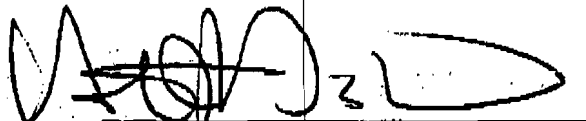
4. Defendant is entitled to try the issue of Attorney's Fees if it is Plaintiff's contention that the City acted in bad faith. The parties shall set this matter for a future hearing.

IT IS THEREFORE ORDERED that Plaintiff should have and is awarded a Judgment against the City of Jonesboro for cost reimbursements consistent with the findings noted above, that Plaintiff should have and is awarded additional property tax upon proof that they have been paid, that Plaintiff is not entitled to recover expert fees and Defendant is entitled to try the issue of Attorney's Fees if it is Plaintiff's contention that the City acted in bad faith.

IT IS SO ORDERED.


John N. Fogleman, Circuit Judge, Division 8

PREPARED BY:



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Law Bk 83 Pg 430-431
DATE :01-27-2010
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CIRCUIT CLERK


D.C.

APPROVED BY:



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Judgment Bk 85 Pg 964-965
DATE :01-27-2010
TIME :11:07:09 AM
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