

News

Heller and Hamilton Evert Obtain Award for Advocacy Group

January 4, 2010

Press Release

In December 2009, Jerry Heller and Alice Hamilton Evert of the Business Controversies group were pleased to obtain an award of approximately \$96,000.00 in additional attorneys' fees and costs on behalf of a prominent advocacy group for residential and commercial building owners, against a local county government. The award was the culmination of over three years of litigation to compel the county's compliance with a Maryland Public Information Act request submitted by the advocacy group in 2005. At the trial of the case in 2007, the court entered judgment on behalf of the advocacy group, found that the county had acted in bad faith with regard to the group's request and went so far as to impose a per diem fine against the county to enforce the court's order to produce responsive documents. The court also awarded attorneys' fees and costs to the group in the amount of approximately \$31,000.00. On appeal, the Court of Special Appeals affirmed the trial court's holding that the county acted in bad faith and remanded the case, authorizing the trial court to award additional fees to the advocacy group. At a hearing in November 2009, on the group's motion for attorneys' fees incurred since 2007 and for contempt, the trial court found the county in contempt and thereafter awarded the group the additional award of \$96,000.00 in attorneys' fees and costs referenced above.