

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>NATIONAL RIFLE ASSOCIATION OF AMERICA, INC., et al.,</b>	)	
	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>No. 08 C 3696</b>
	)	
<b>THE VILLAGE OF OAK PARK</b>	)	
	)	
<b>Defendant.</b>	)	
<hr style="width: 45%; margin-left: 0;"/>		
<b>NATIONAL RIFLE ASSOCIATION OF AMERICA, INC., et al.,</b>	)	
	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>No. 08 C 3697</b>
	)	
<b>THE CITY OF CHICAGO</b>	)	
	)	
<b>Defendant.</b>	)	

**JOINT RESPONSE OF DEFENDANTS CITY OF CHICAGO AND  
VILLAGE OF OAK PARK TO PLAINTIFF NATIONAL RIFLE  
ASSOCIATION'S MEMORANDUM PURSUANT TO ORDER  
AWARDING ATTORNEY'S FEES**

Defendants City of Chicago, by its counsel, Stephen R. Patton, Corporation Counsel of the City of Chicago, and Village of Oak Park, by and through its counsel, Ranjit Hakim and Alexa Shea, hereby respond, in accord with the Court's orders of June 25 and June 28, 2012, to Plaintiff National Rifle Association's July 10, 2012 Memorandum Pursuant to Order Awarding Attorney's Fees ("Plaintiff's Memorandum").

Without waiving any of their rights, including their rights to appeal the June 25 and/or June 28 orders of the Court, Defendants state that the recalculations of attorneys' fees performed by Plaintiff pursuant to the Court's June 25 opinion, and reflected on page 2 of Plaintiff's Memorandum, are consistent with the dictates of that opinion.

At the same time, and notwithstanding the difference in the amount of fees attributable to Plaintiff's two sets of local counsel in the two cases, Defendants respectfully submit that, in the interest of overall fairness, the total fees due to Plaintiff for this litigation should be evenly divided between Defendants. Thus, as Plaintiff seeks a total amount of \$1,326,588.19,<sup>1</sup> \$663,294.10 should be apportioned to Chicago, and \$663,294.10 should be apportioned to Oak Park.

Defendants recognize that evenly dividing the total fees results in the fee component for work by Plaintiff's non-local counsel in both cases (\$961,460.71) – an amount for which Plaintiff seeks joint and several liability – being apportioned as follows: \$624,219.60 to Chicago, and \$337,241.12 to Oak Park.<sup>2</sup> Defendants do not concede that, as to these amounts, a finding of joint and several liability is appropriate in this case, but they do not oppose such a finding, subject to the understanding that, as articulated by Plaintiff, Plaintiff would seek payment from

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<sup>1</sup> Plaintiff seeks \$961,460.71 for work by non-local counsel (Halbrook; Goodwin Proctor; King & Spalding/Bancroft; and Cooper & Kirk) in both cases; \$39,074.50 for work by local counsel (Kolodziej/Brenner) in the Chicago case; and \$326,052.98 for work by local counsel (Freeborn & Peters) in the Oak Park case. Plaintiff's Memorandum, at 2.

<sup>2</sup> This differential apportionment results from the fact that the other two components of the total amount sought by Plaintiff – the local counsel fees attributed to Chicago and the local counsel fees attributed to Oak Park – are different as between Defendants. \$39,074.50 in local counsel fees are attributed to Chicago, and \$326,052.98 in local counsel fees are attributed to Oak Park.

defendant A for defendant B's share only if defendant B "does not or cannot pay the fees."

Plaintiff's Memorandum, at 3.

Date: July 24, 2012

Respectfully submitted,

STEPHEN R. PATTON,  
Corporation Counsel for the City of Chicago

By: /s/ Andrew Worseck  
Assistant Corporation Counsel

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**CERTIFICATE OF SERVICE**

I, Andrew Worseck, an attorney, hereby certify that on this, the 24<sup>th</sup> day of July, 2012, I caused a copy of the foregoing **JOINT RESPONSE OF DEFENDANTS CITY OF CHICAGO AND VILLAGE OF OAK PARK TO PLAINTIFF NATIONAL RIFLE ASSOCIATION'S MEMORANDUM PURSUANT TO ORDER AWARDING ATTORNEY'S FEES** to be served on the following counsel by ECF:

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/s/ Andrew Worseck