

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CRAIG CUNNINGHAM,

Plaintiff pro se,

v.

YAKIM JORDAN, MJ MINISTRIES
SPREADING THE GOSPEL, INC., MJ
MINISTRIES, LLC, STEVEN SLEDGE,
AARON JORDAN, NAOMI COOK,
LUTHER MCKINSTY, FRANK
JULIANO, JONATHAN FOREMAN,
JESSE SPENCER, WARREN TAYLOR,
SERVING HANDS COMMUNITY
DEVELOPMENT CORPORATION, and
JOHN/JANE DOES 1-5,

Defendants.

CIVIL ACTION NO.
1:22-cv-01419-WMR

ORDER

This matter is before the Court on Defendants Jonathan Foreman, Frank Juliano, Serving Hands Community Development Corporation and Jesse Spencer’s (the “Serving Hands Defendants”) Notice of Joinder [Doc. 59] in an Emergency Motion to Quash Plaintiff’s Third-Party Subpoenas and for Contempt and Sanctions (the “Motion”), which was filed by other Defendants in this action.¹

¹ This motion was filed by Defendants MJ Ministries Spreading the Gospel, Inc., Steven Sledge, Aaron Jordan, Naomi Cook, Luther McKinstry, and Wayne Taylor.

[Doc. 58]. This Court previously granted the Motion and awarded contempt sanctions to the Defendants that filed the Motion. [Docs. 67 and 75]. It is hereby ORDERED that Plaintiff must pay the Serving Hands Defendants \$1,325.

I. DISCUSSION

“The initial estimate of a reasonable attorney’s fee is properly calculated by multiplying the number of hours reasonably expended on the litigation times a reasonable hourly rate. Adjustments to that fee then may be made as necessary in the particular case.” *Blum v. Stenson*, 465 U.S. 886, 888 (1984). “When a district court finds the number of hours claimed is unreasonably high, the court has two choices: it may conduct an hour-by-hour analysis or it may reduce the requested hours with an across-the-board cut.” *Bivins v. Wrap It Up, Inc.*, 548 F.3d 1348, 1350 (11th Cir. 2008). “[I]t is sufficient for the court to provide a concise but clear explanation of its reasons for the reduction.” *Loranger v. Stierheim*, 10 F.3d 776, 783 (11th Cir. 1994). To determine whether a fee is reasonable, the Eleventh Circuit has held that courts must consider the following factors:

- 1) the time and labor required; 2) the novelty and difficulty of the questions;
- 3) the skill requisite to perform the legal service properly; 4) the preclusion of other employment by the attorney due to the acceptance of the case; 5) the customary fee; 6) whether the fee is fixed or contingent; 7) time limitations imposed by the client or the circumstances; 8) the amount involved and the results obtained; 9) the experience, reputation and ability of the attorneys;

10) the “undesirability” of the case; 11) the nature and length of the professional relationship with the client; and 12) awards in similar cases.

Cable/Home Commc’n Corp. v. Network Prods., Inc., 902 F.2d 829, 853 n.37 (11th Cir. 1990).

In consideration of those factors, the Court finds that the proposed hourly rates are reasonable but that the attorneys spent more time than was reasonably necessary to pursue this motion. Serving Hands Defendants joined, but did not draft, the Motion; Serving Hands Defendants had to “chas[e] down the targets of Plaintiff’s improper subpoenas to alert them that said subpoenas had been quashed; and Serving Hands Defendants filed its documentation of costs. [Doc. 70-1 at 3]. However, the attorneys are only entitled to reasonable fees related to the preparation and pursuit of this specific motion; such preparation and pursuit includes only drafting a single substantive page notice, preparing for the hearing, brief travel time, and participating in the hearing which lasted less than two hours. [Doc. 67].

This limited involvement did not involve an extensive amount of time and labor, nor did it require a high level of skill to bring before the Court. It is unclear to the Court why joining the Motion required two attorneys to spend 19.9 combined hours. *See Norman v. Housing Authority of Montgomery*, 836 F.2d 1292, 1302 (11th Cir. 1988) (“There is nothing inherently unreasonable about a client having multiple attorneys, and they may all be compensated if they are not

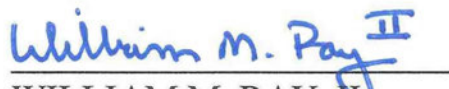
unreasonably doing the same work and are being compensated for the distinct contribution of each lawyer.”).

Accordingly, the Court strikes the redundant hours, reduces the remaining time spent by the attorneys by about 75% and finds an appropriate amount of time to have spent on this matter to be 5 hours (i.e., about 19.9 hours *0.251). That breaks down to awarding Attorneys Stone and Arnold a total of \$1,325 for 5 hours at their hourly rate of \$265 per hour.

II. CONCLUSION

The Plaintiff is ORDERED to pay Defendants a total of \$1,325 in attorneys’ fees.

IT IS SO ORDERED, this 21st day of February, 2025.



WILLIAM M. RAY, II
UNITED STATES DISTRICT JUDGE