

ARBITRATION SERVICE OF PORTLAND

City of Stayton,

Claimant,

vs.

JCNW Family LLC,

Respondent.

ASP No. 141222

**EIGHTH SUPPLEMENTAL
AWARD**

The Seventh Supplemental Award entered on June 22, 2017 authorized Claimant to request reasonable attorney fees and costs from January 26, 2017 to the conclusion of this action. The time for filing a final cost bill was changed from 14 days to 60 days to "grant time to the parties to work on a negotiated settlement of the remaining issues." Claimant filed a Final Supplemental Cost Bill on July 25, 2017 seeking a supplemental award for attorney fees and costs incurred from January 26 to July 25, 2017.

DISCUSSION

Claimant seeks recovery of arbitration fees incurred before January 26, 2017. Claimant was awarded \$81,420 in attorney fees and costs from the Fourth Supplemental Cost Bill. The award from that cost bill granted all of the fees and costs requested by Claimant through January 25, 2017. Claimant is entitled to recover arbitration fees incurred after January 25, 2017, which includes fees of \$937.50 and \$2,050.00. There was no objection raised to the additional costs of \$58.55.

Claimant's submitted itemized attorney fees, incurred from January 26, 2017 to July 21, 2017, show that counsel for the City worked at addressing the demands of the Santiam Water Control District and continued to work at developing, within the constraints established by City management and the City Council, a negotiated resolution to the remaining issues with Respondent. The stated fees incurred by the City were reasonably necessary to address the ongoing effort to develop a resolution to the issues created by Respondent's breach of the

Development Agreement.

RULING

Based upon the above discussion, Claimant is awarded \$2,987.50 for arbitration fees, \$58.55 for costs and \$24,450.00 for attorney fees, all incurred between January 26, 2017 and July 21, 2017.

MONEY AWARD

Award Creditor:

City of Stayton
362 N. 3rd Ave.
Stayton, Or 97383

Attorneys for Award Creditor

Wallace W. Lien PC
P O Box 5730
Salem, OR 97304

Award Debtor

JCNW Family LLC

Attorneys for Award Debtor

Jan D. Sokol
2300 SW First Ave #200
Portland, Or 97201

Total Amount of the Award

Attorney & Staff Fees	\$24,450.00
Costs	\$58.55
Arbitration Fees	\$2,987.50
Total	\$27,496.05

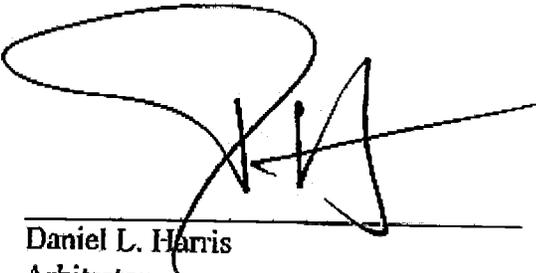
Pre-Supplemental Award Interest

None

Post-Supplemental Award Interest

Simple interest at the rate of 9% per annum, from the date of the Eighth Supplemental Award.

Dated this 12th Day of September 2017



Daniel L. Harris
Arbitrator