

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HOLLY RICHARDSON,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CHI INSTITUTE,	:	96-7524
	:	
Defendant.	:	

ORDER

VanArtsdalen, S.J.

April 2, 1998

MEMORANDUM

By Memorandum and Order dated March 30, 1998, I awarded attorney's fees and expenses pursuant 42 U.S.C. Section 1988 to plaintiff in the amount of \$120,242.58. Plaintiff has now filed a supplemental petition requesting an additional \$6,650.00 in attorney's fees and \$1,563.05 in costs for preparation of plaintiff's response to defendant's post-trial motions and oral argument. For the following reasons, plaintiff's motion (document no. 65) will be denied.

On January 26, 1998, plaintiff filed a Motion for Attorney's Fees and Costs pursuant to 42 U.S.C. Section 1988. At that time, plaintiff should have been fully aware that additional time would need to be expended responding to defendant's post-trial motions which were filed on January 23, 1998. Both plaintiff's original fee petition and revised fee petition, filed on March 6, 1998, represented that they included all work performed and costs incurred up until the time oral argument was held on March 23, 1998, including the time spent preparing the fee petitions. Plaintiff did not set forth her intention or reserve the right to seek supplemental attorney's fees and costs associated with the post-trial motions in either of the two fee petitions, nor did plaintiff

set forth any such intention at oral argument.¹ Plaintiff has also failed to properly seek leave to amend her petition. Accordingly, plaintiff's supplemental petition for additional attorney's fees and expenses (document no. 65) will be denied.

An appropriate order follows.

¹ It should be noted that even if I were inclined to award supplemental attorney's fees and costs, I would be unable to do so. Plaintiff's supplemental petition fails to distinguish between time and costs expended after the trial on post-trial motions and time and costs expended after the trial on the fee petition. Plaintiff has already been awarded \$1,165.00 for time spent preparing the fee petition in my Order dated March 30, 1997.

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	:	
Defendant.	:	

ORDER

For the reasons set forth in the accompanying memorandum, it is **ORDERED** that plaintiff's supplemental petition for additional attorney's fees and expenses (document number 65) is **DENIED**.

BY THE COURT:

DONALD W. VANARTSDALEN, S.J.

DATED: April 2, 1998