‘Outrageously Excessive’ Requests for Attorney Fees Can Be Altogether Denied, 3rd Circuit Says



Image by Chris Potter

A federal appeals court has upheld a federal judge’s decision to deny as “grossly excessive” a request for more than $900,000 in attorney fees based on a $100,000 punitive award, reports the ***ABA Journal***.

The Philadelphia-based 3rd U.S. Circuit Court of Appeals, found that, when a request under a fee-shifting statute is “outrageously excessive,” a judge may deny the award altogether if the statute gives the judge discretion in awarding fees.

Journal reporter **Debra Cassens Weiss** explains:

> Lawyers seeking the fees had admittedly tasked one lawyer with recreating time records that included vague descriptions and excessive hours, the appeals court said. Sixty-four hours were billed for “transcripts/clips” and 562 hours were billed to prepare for a week-long trial. There were only five witnesses for both sides.

Read the *ABA Journal* article.