

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

**THE JOHN F. KENNEDY CENTER FOR
THE PERFORMING ARTS,**

Plaintiff,

v.

CHARLES REDD,

Defendant.

Case No. 2026-CAB-1457

Judge Tanya M. Jones Bosier

CLOSED CASE

ORDER GRANTING IN PART DEFENDANT’S MOTION FOR ATTORNEYS’ FEES

This matter is before the Court upon Defendant’s Motion for Attorneys’ Fees (“Motion”), filed June 25, 2026. In the Motion, Defendant Charles Redd (“Redd”) requests the Court award him attorneys’ fees and costs as the prevailing party in the above-captioned Anti-SLAPP Action. *See* D.C. Code § 16-5504(a); *see also* D.C. Super. Ct. Civ. R. 54(d). Plaintiff The John F. Kennedy Center for the Performing Arts (the “Center”)¹ filed a Response to the Motion (“Opposition”) on July 28, 2026, and Redd filed a Reply on August 4, 2026. For the reasons herein, the Motion is **GRANTED IN PART.**

I. RELEVANT BACKGROUND AND PROCEDURAL HISTORY

A complete factual background is contained in this Court’s June 5, 2026, *Order Granting Defendant’s Motions to Dismiss*, which the Court fully incorporates herein.

After the Court granted Redd’s Anti-SLAPP and Rule 12 Motions to Dismiss, the Court set a briefing schedule for Redd, as the prevailing party, to file a request for fees and costs, and the

¹ As highlighted in the Center’s Opposition, Plaintiff’s name has been altered to reflect the ruling in *Beatty v. Trump*, 2026 WL 1505646 *24 (D.C.C. May 29, 2026), in which the District Court for the District of Columbia ruled the Center’s legal name is the John F. Kennedy Center for the Performing Arts. *See* Opp’n at 1 fn.1.

Center to file a response thereto. The Court originally set a deadline of June 18, 2026, which was later extended by consent to June 25, 2026, and Redd filed the instant Motion that day.

After Redd filed his Motion, the Center did not file a response by the deadline of July 9, 2026; however, counsel for Redd made the Court aware of correspondence between parties in which parties agreed to an extension of time for the Center to file a response on or before July 16, 2026. When the Center did not file a response by July 16, 2026, parties continued communication via e-mail regarding the lack of response. On July 19, 2026, counsel for the Center acknowledged that no response had been filed but indicated an intent to file an Opposition.

On July 24, 2026, counsel for Redd reiterated the lack of a response and requested the Court treat the Motion as conceded. Based on those communications, continued lack of a filing notwithstanding the intent to do so, and that the Court did not wish to delay a ruling any further, the Court issued an order on July 24, 2026, to notify the parties that the Court will review a response by the Center if it is submitted by close of business Monday, July 27, 2026. The Center filed a 21-page Opposition in the early morning hours of July 28, 2026. This Order follows.

II. LEGAL STANDARD

“[T]he grant or denial of attorneys’ fees is entrusted to the sound discretion of the trial judge.” *BSA 77 P St. LLC v. Hawkins*, 983 A.2d 988, 996 (D.C. 2009) (citing *Maybin v. Stewart*, 885 A.2d 284, 288 (D.C. 2005)). If the Court finds in favor of awarding attorney’s fees, such fees are to be calculated pursuant to the *Laffey* matrix approved in *Salazar v. District of Columbia*, 123 F. Supp. 2d 8 (D.D.C. 2000). The D.C. Court of Appeals has approved the *Laffey* matrix as “one legitimate means of calculating attorney’s fees.” *Lively v. Flexible Packaging Ass’n*, 930 A.2d 984, 990 (D.C. 2007). This matrix reflects the prevailing hourly rate in the Washington, D.C. area for a given year based upon an attorney’s experience. *Id.* at 988-89.

“In most situations, a reasonable fee is computed by first determining the so-called lodestar—the number of hours reasonably expended by counsel multiplied by a reasonable hourly rate—and then, ‘in exceptional cases,’ making upward or downward adjustments as appropriate.” *James G. Davis Constr. Corp. v. HRGM Corp.*, 147 A.3d 332, 346 (D.C. 2016). “In determining the number of hours reasonably expended, billing judgment must be exercised, and hours that are excessive, redundant or otherwise unnecessary must be excluded.” *Henderson v. District of Columbia*, 493 A.2d 982, 999 (D.C. 1985). Courts make these adjustments based on a list of twelve factors adopted by the Court of Appeals of the District of Columbia. *Fraizer v. Franklin Inv. Co.*, 468 A.2d 1338, 1341 n. 2 (D.C. 1983).² However, “[n]ot all of these potentially relevant factors are pertinent in every case.” *James G. Davis Constr. Corp.*, 147 A.3d at 346. The basic consideration is whether the time expended, and the rate charged are reasonable. *See id.* “The key factor to determining whether an attorney’s time was reasonably expended on a case is productivity.” *Ventura v. Bebo Foods, Inc.*, 738 F.Supp.2d 8, 33 (D.D.C. 2010). If work is “duplicative, excessive, or otherwise unnecessary,” then it is not productive. *Id.* at 34.

III. DISCUSSION

Through the Motion, Redd requests reasonable costs and attorneys’ fees in an amount no less than \$258,325.72. *See* Mot. at 1. This total amount, which counsels for Redd request after making a good faith evaluation of records to exclude hours that are arguably duplicative, excessive, or unnecessary, includes the following:

- (1) Lisa J. Banks: 66.20 hours at an hourly rate of \$919

² “(1) time and labor required; (2) the novelty and difficulty of the questions; (3) the skill requisite to perform the legal services properly; (4) the preclusion of other employment by the attorney due to the acceptance of this 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.” *See Frazier v. Center Motors, Inc.*, 418 A.2d 1018, 1025 (D.C. 1980) (case superseded by statute on other grounds).

- (2) Debra S. Katz: 59.60 hours at an hourly rate of \$933
- (3) Susanna Barron: 22.9 hours at an hourly rate of \$675
- (4) Jesse Broad-Cavanagh: 237.20 hours at an hourly rate of \$561
- (5) Litigation expenses: \$2,684.42

See Mot. at 6, 8. Counsels for Redd utilized the Fitzpatrick Matrix, which is an hourly legal fee breakdown by the Department of Justice in complex federal litigation in the District of Columbia.³ A review of the Fitzpatrick Matrix shows the hourly rates above are from 2025 and are based on years of experience practicing law after law school. Under these parameters, Redd attaches exhibits that document the work done in connection with this case, and asserts that where a fee applicant exercised billing judgment, courts should avoid “engaging in a detailed line-by-line analysis of the fee petition and the voluminous file ... to determine, like a quasi-management consultant, if plaintiffs’ counsel could have accomplished particular tasks or pleadings more efficiently.” *Id.* at 5 (citing *Save Our Cumberland Mountains, Inc. v. Hodel*, 651 F. Supp. 1528, 1532 (D.D.C. 1986), *aff’d in relevant part*, 826 F.2d 43, 51-52 (D.C. Cir. 1987) (*en banc*)).

The Court reviewed the Motion, corresponding exhibits, and applicable rates as to each individual that Redd requests compensation for. The Court finds the requested amounts are reasonable but will reduce the litigation expenses by \$2,604.42 to exclude computerized legal research costs and will reduce the hourly rate for Mr. Broad-Cavanagh. This Court continues to utilize the *Laffey* matrix, and the *Laffey* matrix has only been replaced by the Fitzpatrick Matrix in federal litigation. *See, e.g., J.T. v. District of Columbia*, 652 F. Supp. 3d 11, 36 (D.D.C. 2023). The D.C. District Court explained in *J.T.* that the Fitzpatrick Matrix determined hourly rates based on a review of motions for attorneys’ fees brought in federal court in the District of Columbia

³ The Fitzpatrick Matrix can be accessed here: <https://www.justice.gov/usao-dc/media/1395096/dl?inline>

between May 31, 2013, and May 31, 2020, and accounted for inflation using the same index as *Laffey*. *Id.* at 26. While the relevant market was, like here, the District of Columbia, the data used to determine applicable rates and reasonability was limited to federal litigation. The *Laffey* Matrix remains a reasonable calculation under local District of Columbia Court of Appeals jurisprudence, and the Court has calculated compensation under those guidelines. As Mr. Broad-Cavanagh is classified under *Laffey* as 1-3 years out of law school, his requested rate is the only rate that exceeds *Laffey* for the year 2025, which the Court finds to be a reasonable calculation. Thus, the final breakdown is as follows:

- (1) Lisa J. Banks: 66.20 hours at an hourly rate of \$919
- (2) Debra S. Katz: 59.60 hours at an hourly rate of \$933
- (3) Susanna Barron: 22.9 hours at an hourly rate of \$675
- (4) Jesse Broad-Cavanagh: 237.20 hours at an hourly rate of \$508
- (5) Court costs: \$80

Based on the above-listed calculations, the Court finds that Redd is entitled to attorneys' fees and costs in the total amount of **\$252,479.70**.

The Court notes that the Center's Opposition was filed beyond the time required by the rules and this Court's July 24, 2026, order. Additionally, the Opposition exceeds the Court's fifteen (15) page limit without prior leave of court. Notwithstanding the procedural defects and untimeliness, the Court reviewed the Opposition to ensure a fulsome review and reaches the same conclusion discussed above.

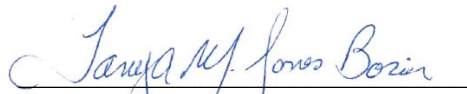
IV. CONCLUSION

For the foregoing reasons, it is this 10th day of August, 2026, hereby:

ORDERED that the Motion is **GRANTED IN PART** with the total requested amount reduced consistent with this Order. It is further

ORDERED that the Center shall remit payment for attorneys' fees and costs to counsel for Defendant Redd in the total amount of **\$252,479.70** within forty-five (45) days of this Order.

IT IS SO ORDERED.



Tanya M. Jones Bosier
Associate Judge
Superior Court of the District of Columbia

Copies e-filed and e-served via Odyssey.