

FILED  
1122 O'Clock P.M.

JAN 15 2014

SANDRA K MARKHAM, Clerk  
By: RHONDI HAGEN

L. Richard Mabery  
L. RICHARD MABERY, P.C.  
234 N. Montezuma Street  
Prescott, Arizona 86301  
(928) 778-1116

State Bar I.D. No. 005188

Attorney for The Verde Ditch Company

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, et al., )

Plaintiffs, )

v. )

WALES ARNOLD, et us., et al., )

Defendants, )

THE VERDE DITCH COMPANY, )

Petitioner, )

v. )

BERNADINE A. LIPPINCOTT, as Trustee )  
of the BERNADINE A. LIPPINCOTT )  
LIVING TRUST, dated November 16, 1984, )

Respondent. )

No. P1300CV 4772

Division 1

AFFIDAVIT FOR AWARD OF  
ATTORNEY'S FEES

Law Offices of  
L. Richard Mabery, P.C.  
234 North Montezuma Street  
Prescott, Arizona 86301-3008  
(928) 778-1116

STATE OF ARIZONA        )  
                                          ) ss.  
County of Yavapai        )

**L. RICHARD MABERY**, being duly sworn upon oath, deposes and states as follows:

1. I am the attorney for Petitioner, **THE VERDE DITCH COMPANY** in this action, and am admitted to the practice of law in the State of Arizona. I am the attorney of record in this action for Petitioner and submit this Affidavit for Award of Attorney's Fees in this matter.

2. Under the fee arrangements between Petitioner and L. Richard Mabery, P.C., Petitioner is responsible for all attorney's fees as they are incurred and Petitioner has paid L. Richard Mabery, P.C. the amounts set forth below. This fee arrangement specified that attorney's fees would be billed to Petitioner on an hourly-rate basis, the time the work was performed, and the nature of the work performed.

3. I am generally familiar with rates charged by other lawyers in this community with similar experience, education and training and the rate charged herein of \$280.00 per hour for attorney time, \$140.00 per hour for paralegal time, and \$115.00 per hour for legal assistant time, is consistent with current rates applicable in the Community.

4. Through the date of this Affidavit, the Law Offices of L. Richard Mabery has documented over 10 hours accrued in this matter including:

a) not less than 4.6 hours of attorney's time in meetings with the Verde Ditch representatives; reviewing the assessments; drafting a demand letter to the Respondent; drafting pleadings and supervision of service; drafting the judgment, affidavit of costs and attorney's fees and attending the Court hearing for a total of \$1288.00 in attorney's fees;

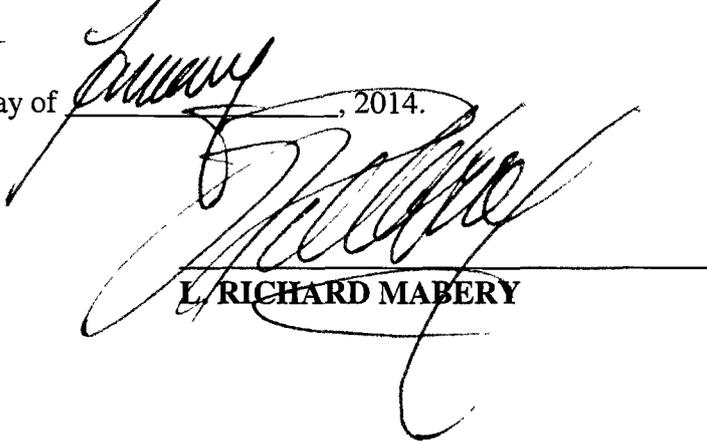
b) not less than 2.6 hours in legal assistant fees for a total of \$299.00; and

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c) not less than 2.4 hours in paralegal time in researching residence location for service, drafting and finalization of the pleadings, and preparation of exhibits for a total of \$336.00 in the pursuit of collection of the amount due.

After reviewing the time records maintained by L. Richard Mabery, P.C. , the billings to Petitioner in connection with this matter, and evaluating the efforts necessary to conduct this litigation, the reasonable and appropriate award by this Court would be not less than \$800.00 in attorney's fees, if not contested, (as requested in the application for Order Show Cause) plus the costs incurred. If contested, Petitioner will submit a detailed attorney's fee affidavit pursuant to the Arizona Rules of Civil Procedure and seek an award for the full amount incurred by subsequent application for the Court's consideration.

DATED this 15 day of January, 2014.

  
L. RICHARD MABERY

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