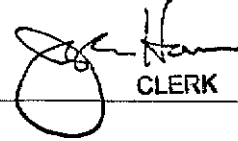


**FILED**

OCT 24 2002

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

  
CLERK

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CASIMIR LEBEAU & VERNON ASHLEY,  
on behalf of themselves and all  
other persons similarly situated,  
Plaintiffs,

VS

Civil No. 99-4106

UNITED STATES OF AMERICA,  
Defendant.

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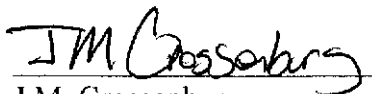
**MOTION FOR FEES and EXPENSES**

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Counsel for the plaintiffs respectfully moves the Court for an award of fees and expenses for the trial proceeding in the above entitled matter under the Equal Access to Justice Act, 28 USC Sec. 2412(d). Attached, in support of this motion, please find: affidavit of counsel for plaintiffs and itemized bill, along with Brief in Support of Motion for Fees and Expenses.

It is moved that the Court enter an order requiring defendant to pay plaintiffs attorney fees and expenses in the amount of \$65,852.34.

Dated October 23, 2002.



J.M. Grossenburg  
Attorney for Plaintiffs  
501 South Main Street  
Winner, SD 57580  
1-605-842-1676

132

## CERTIFICATE OF SERVICE

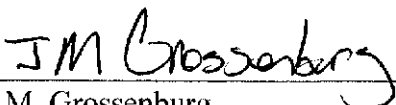
The undersigned hereby certifies that he served a copy of THE ABOVE DOCUMENT(S) upon the person(s) herein next designated, on the date below shown by depositing a copy thereof in the United States mail at Winner, South Dakota, postage prepaid, on an envelope addressed to each said addressee, to-wit:

**Jan L. Holmgren**  
**Assistant United States Attorney**  
**PO Box 5073**  
**Sioux Falls, SD 57117-5073**

**United States Clerk of Court            (original + 1)**  
**400 S. Phillips Ave., # 128**  
**Sioux Falls, SD 57104**

which address is the last address of each addressee known to the subscriber.

October 23, 2002

  
\_\_\_\_\_  
J.M. Grossenburg