

IN THE SUPREME COURT OF FLORIDA

INQUIRY CONCERNING
A JUDGE NO. 02-487

Supreme Court Case
No. SC03-1171

RESPONDENT'S MOTION TO TAX COSTS

Pursuant to Florida Rule of Judicial Administration 2.140(c), Florida Rule of Civil Procedure 1.525, the Order on Entitlement to Costs dated June 23, 2005, *In Re: Hapner*, 737 So. 2d 1075 (Fla. 1999), and other pertinent authority, Respondent, Judge Gregory P. Holder, moves for entry of an order taxing in his favor costs reasonably and necessarily incurred in this proceeding. The grounds on which this motion is based are set forth below.

1. Judge Holder has incurred significant costs as the Respondent in this proceeding since July of 2003, when the Florida Judicial Qualifications Commission (the "JQC") filed its Notice of Formal Charges.
2. From June 6 to June 14, 2005, this matter was tried before a Hearing Panel of the JQC.
3. On June 23, 2005, the Hearing Panel, through its Chairman, Hon. John P. Kuder, entered its (a) Order of Dismissal dismissing the charges against Respondent by unanimous vote, and (b) Order on Entitlement to Costs recommending an award of costs in favor of Judge Holder.

4. The costs set forth in the attached Appendix are reasonable and were necessarily incurred in the investigation of the charges and the preparation of the successful defense.

5. Respondent will supply receipts and/or additional detail for each of the costs incurred prior to a hearing on this motion or in accordance with an order establishing a procedure for the resolution of this motion and attendant deadlines.

WHEREFORE, Respondent, Judge Gregory P. Holder, respectfully requests entry of an order taxing in his favor costs in an amount not to exceed \$140,870, or other appropriate amount as established by the proof in this proceeding, to bear interest at the legal rate.

Dated: July 25, 2005

Respectfully Submitted,



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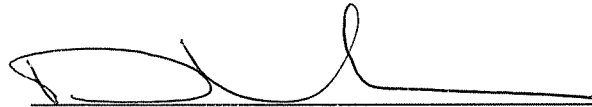
-and-

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Counsel for Judge Gregory P. Holder

CERTIFICATE OF SERVICE

I certify that on July 25th, 2005, a copy of the foregoing, Respondent's Motion to Tax Costs, has been served by regular U.S. Mail to: Ms. Brooke Kennerly, Hearing Panel Executive Director, 1110 Thomasville Road, Tallahassee, FL 32303; John Beranek, Counsel to the Hearing Panel, Ausley & McMullen, P.O. Box 391, Tallahassee, FL 32302; Thomas C. MacDonald, Jr., JQC General Counsel, 1904 Holly Lane, Tampa, FL 33629; and Charles P. Pillans, III, Esq., JQC Special Counsel, Bedell, Ditmar DeVault, Pillans & Coxe, P.A., The Bedell Building, 101 East Adams Street, Jacksonville, FL 32202. A courtesy copy has been provided by U.S. Mail to the Honorable John P. Kuder, Chairman of the Hearing Panel, Judicial Building, 190 Governmental Center, Pensacola, FL 32501.



Attorney

Holder adv JQC
FL Supreme Court Case No. SC03-1171

COST EXHIBIT

<u>COST TYPE</u>	<u>AMOUNT</u>
Deposition Costs	\$9,005.32
Hearing Transcript Fees	\$1,510.39
Expert Expenses & Fees	\$63,226.86
Witness Expenses & Fees	\$624.82
Miscellaneous Fees	\$106.99
Copy Fees	\$19,065.56
Telephone Charges	\$1,747.38
Postage Fees	\$104.33
Trial Supplies	\$608.41
Courier Fees	\$3,610.12
Administrative Fees	\$31.00
Process Server Fees	\$234.00
Trial Exhibit Expenses	\$2,547.78
Legal Research Fees	\$9,527.00
Travel/Lodging - Bales Weinstein	\$296.46
Air Transportation Fees - Sidley Austin Brown & Wood	\$6,948.85
Ground Transportation Fees - Sidley Austin Brown & Wood	\$4,785.04
Travel/Lodging - Sidley Austin Brown & Wood	\$15,024.48
Facsimile Charges	\$1,866.00
TOTAL	\$140,870.79

EXHIBIT A