

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

KAREN BRADY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 2019-0204-DG
)	
ELAINE S. HUBER, individually)	
and as Executrix of the Estate of)	
George H. Huber and as Trustee of)	
the George H. Huber, Sr. Living)	
Trust, as amended and restated)	
)	
THE ESTATE OF GEORGE H.)	
HUBER, SR.,)	
)	
and)	
)	
THE GEORGE H. HUBER SR.)	
LIVING TRUST, as amended and)	
restated,)	
Defendants.)	

**ORDER AWARDING PLAINTIFF
ATTORNEYS' FEES AND COSTS**

WHEREAS:

A. On September 18, 2024, Plaintiff filed her Motion to Enforce the Terms of a Settlement Agreement (“Motion”).¹

¹ Docket Item (“D.I.”) 56.

B. On August 15, 2025, the Court ruled on the Motion in favor of Plaintiff, and awarded Plaintiff her reasonable attorneys' fees in connection with the Motion to be paid from the George H. Huber Sr., Living Trust.²

C. On August 28, Plaintiff's counsel filed their Rule 88 Affidavit for Counsel Fees and Costs ("Fee Affidavit").³ In the Fee Affidavit, Plaintiff seeks to recoup fees from June 30, 2024 to March 31, 2025, totaling \$6,861.74.⁴

D. On September 11, Defendants informed the court via letter that they did not object to the fees sought by Plaintiff.⁵

E. "The court has discretion in determining the reasonableness of an award of attorneys' fees."⁶ When reviewing a fee application under Rule 88, the court will evaluate the reasonableness of fees under the standards of Rule 1.5(a) of the Delaware Lawyers' Rules of Professional conduct[.]"⁷

² D.I. 72 at 24–28.

³ D.I. 73.

⁴ *Id.* ¶ 4.

⁵ D.I. 74.

⁶ *Roma Landmark Theaters, LLC v. Cohen Exhibition Co. LLC*, 2021 WL 5174088, at *2 (Del. Ch. Nov. 8, 2021) (citing *Mahani v. EDIX Media Corp.*, 935 A.2d 242, 245 (Del. 2007)).

⁷ *Roma Landmark Theaters, LLC v. Cohen Exhibition Co. LLC*, 2021 WL 5174088, at *2 (Del. Ch. Nov. 8, 2021) (citing *Carpenter v. Dinneen*, 2008 WL 2950765, at *1 (Del. Ch. July 3, 2008)).

F. Rule 1.5(a) of the DLRPC identifies the following factors for consideration when assessing an award of attorney fees and costs:

(1) The time and labor required, the novelty and difficulty of the questions involved; (2) the likelihood, if apparent to the client, that the acceptance of the particular employment with preclude other employment by the lawyer; (3) the fee customarily charged in the locality for similar legal services; (4) the amount involved and the results obtained; (5) the time limitations imposed by the client or by the circumstances; (6) the nature and length of the professional relationship with the client; (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and (8) whether the fee is fixed or contingent.⁸

G. I have reviewed the fee affidavit and the supporting time entries, as well as relevant docket entries relating to the Motion.

IT IS ORDERED, this 18th day of September, 2025, that:

1. Plaintiff is awarded \$6,578.24 in fees and costs.
2. I deduct the amount in Invoice # 17960 from the request because the dates listed fall outside the range specified in the Fee Affidavit.⁹ I do not award counsel their fees for preparing the Fee Affidavit for the same reason.¹⁰

⁸ Del. Lawyers' R. Prof'l Conduct 1.5(a).

⁹ D.I. 73, Ex. A.

¹⁰ See D.I. 73 ¶¶ 2, 6. *Cf. Louisiana State Empls. ' Retirement Sys. v. Citrix Sys., Inc.*, 2001 WL 1131364, at *9 (Del. Ch. Sep. 19, 2001) (“[P]laintiff's counsel cannot recover for costs incurred in pursuing their fee application.”).

3. Finally, I deduct the quarterly administrative expenses listed in Invoice # 19676 and Invoice # 20380, totaling \$26, as those fees appear to be overhead expenses customarily absorbed in counsel's billing rate, and I find it unreasonable to shift them here.¹¹

4. This is my Final Report. Pursuant to Court of Chancery Rule 144, exceptions to this Final Report may be filed within 11 days.¹²

/s/ Danielle Gibbs
Magistrate in Chancery

¹¹ D.I. 73, Ex. A; *see also* Del. Lawyers' R. Prof'l Conduct 1.5 cmt. 1 (counsel may charge for overhead if it is reasonable, or negotiated with the client).

¹² Ct. Ch. R. 144(c)(2), (d)(1).