

110 RIVERVIEW ROAD, ROOM 205, STERLING, CO, 80751

**Plaintiff(s)** JAMES ARANCI et al.

v.

**Defendant(s)** LOWER S PLATTE WATER CONSERVANCY DIST et al.

DATE FILED

March 4, 2025 9:36 AM

CASE NUMBER: 2021CV30049

**△ COURT USE ONLY △**

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Division: D

Courtroom:

### Order Re: Attorneys Fees and Costs

The Court agrees with and adopts the argument put forth by the Plaintiffs in their Brief for Attorneys Fees and Costs, specifically sections I and II. The Court finds this was complex litigation that furthered the goals of TABOR by addressing issues at the very core of TABOR, i.e. tax increases without tax payer approval. The Plaintiffs prevailed on the substantive question at the center of this case and did so after multiple attempts to avoid protracted litigation.

Further, the Court does not find persuasive Defendant's argument that awarding attorneys fees and costs in a case such as this would be counter to the goals of TABOR because such an award would necessarily increase government spending. If the Court were to adopt that argument it would eviscerate the attorney fees and costs section of TABOR because such an award to a prevailing plaintiff would *never* further the goals of TABOR.

THEREFORE, the Court awards reasonable attorneys fees and costs to the Plaintiffs in this case.

Fees and costs are not final as this case is still ongoing. The Plaintiffs shall submit their claim for fees and costs once the other litigation in this case is finished.

Issue Date: 3/4/2025

