

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
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Granted Appeal Summary

Case

HARRISON NEAL v. FAIRFAX COUNTY POLICE DEPARTMENT, ET AL.
(Record Number 191127)

From

The Circuit Court of Fairfax County; R. Smith, Judge.

Counsel

Edward S. Rosenthal, Lana M. Manitta, and David C. Rohrbach (Rich Rosenthal Brincefield Manitta Dzubin & Kroeger, PLLC); Eden Heilman and Jennifer Safstrom (American Civil Liberties Union Foundation of Virginia, Inc.) for appellant.

Elizabeth D. Teare, Karen L. Gibbons, and Kimberly P. Baucom (Fairfax County Attorney's Office) for appellee.

Assignments of Error

1. The trial court abused its discretion under Code Section 2.2-3809 in awarding less than 11% of the reasonable and necessary attorneys' fees and costs proven by detailed billing records and affidavits.
2. The trial court erred by excluding the affidavit of Bernard J. DiMuro, Neal's attorneys' fees expert.

Assignment of Cross-Error

The trial court's award of attorneys' fees and costs was error because the circuit court erred in concluding that the Department violated the Data Act, and in issuing an injunction.