

**WGL Midstream MP, LLC v Meade Pipeline Inv.,
LLC**

2025 NY Slip Op 33277(U)

August 27, 2025

Supreme Court, New York County

Docket Number: Index No. 656507/2022

Judge: Nancy M. Bannon

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This opinion is uncorrected and not selected for official publication.

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. NANCY M. BANNON PART 61M

Justice

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WGL MIDSTREAM MP, LLC, EIF MEADE HOLDINGS, LLC, VED NPI I, LLC, VED NP II, LLC, COG HOLDINGS, LLC

Plaintiffs,

INDEX NO. 656507/2022

MOTION DATE 05/15/2025

MOTION SEQ. NO. 009

- v -

MEADE PIPELINE INVESTMENT, LLC and CITIBANK, N.A.,

Defendants.

DECISION + ORDER ON MOTION

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The following e-filed documents, listed by NYSCEF document number (Motion 009) 231, 232, 233, 234, 235

were read on this motion to/for ATTORNEY - FEES.

In this declaratory judgment action arising from an agreement to sell interests in a natural gas pipeline company, the court (Ostrager, J. [Ret.]), by order dated December 13, 2023, denied summary judgment motions filed by the plaintiffs (MOT SEQ 006) and defendant Meade Pipeline Investment, LLC (MOT SEQ 007). By order dated December 17, 2024, the Appellate Division, First Department modified the order to grant MOT SEQ 006 in favor of the plaintiffs and found that the plaintiffs were entitled to contractual attorney’s fees as the prevailing parties. By this motion, the plaintiffs seek \$2,126,372 in attorney’s fees. Meade Pipeline opposes the motion. The motion is granted in part

It is well settled that the reasonableness of legal fees “can be determined only after consideration of the difficulty of the issues and the skill required to resolve them; the lawyers’ experience, ability and reputation; the time and labor required; the amount involved and benefit resulting to the client from the services; the customary fee charges for similar services; the contingency or certainty of compensation; the results obtained and the responsibility involved.” Morgan & Finnegan v Howe Chemical Co., Inc., 210 AD2d 62, 63 (1st Dept. 1994) [citations omitted]; see Matter of Freeman, 34 NY2d 1 (1974). An award of reasonable attorney’s fees is within the sound discretion of the court. See O’Mahony v Whiston, 224 AD3d 609 (1st Dept. 2024); Diakrousis v Maganga, 61 AD3d 469 (1st Dept. 2009). A court may reduce requested

fees to eliminate unnecessary work (see Matter of SR, 169 AD3d 574 [1st Dept. 2019]), or where the amount sought was unsubstantiated by the proof submitted. See Silverstein v Goodman, 113 AD3d 539 (1st Dept. 2014); Josefsson v Keller, 141 AD2d 700 (2nd Dept. 1988).

In its initial papers, the plaintiffs sought \$2,149,865.03 in attorneys' fees. In its reply memorandum of law, the plaintiffs represent that this number inadvertently included "\$64,793.40 in costs". The plaintiffs since excluded this amount in costs and seek to include invoices for work done in support of this motion, and in reply, amounting to \$49,707.46, for a new total of \$2,126,372.

The plaintiffs submit an affirmation of Thomas N. Kidera, a partner at Orrick, Herrington & Sutcliffe LLP, who avers that he, along with partner John Ansbro, senior associate Julie Lee, managing associate Ana Mendez-Villamil, and other Orrick staff billed a total of 245 hours in this matter. The plaintiffs also submit redacted copies of invoices dated June 6, 2022 to April 8, 2025, detailing the professional services provided by these attorneys and other Orrick staff. These invoices show hourly rates charged by these four attorneys during this timeframe; Kidera from \$1085 to \$1455, Ansbro from \$1270 to \$1620, Lee from \$805 to \$1200, and Mendez-Villamil from \$610 to \$1020. In reply, the plaintiffs also submit an invoice dated May 9, 2025, for work done in preparing their reply on this motion, totaling \$42,359.00

In opposition, Meade Pipeline maintains that the \$2,126,372 is unreasonable as, in its view, this was a simple breach of contract claim with limited discovery, including a small number of document productions from both sides. Meade Pipeline also argues the motions it filed in this action - MOT SEQ 001 to dismiss the complaint, MOT SEQ 007 for summary judgment and MOT SEQ 008 to amend its pleadings to increase its damages demand - required only minimal work of the plaintiffs, including short opposition briefs. Meade Pipeline's counsel also objects to billing work for attorneys that could have been performed by clerical staff, instances of block billing, and an unreasonable number of hours spent by the plaintiff's counsel on certain tasks.

Upon a review of the foregoing, and in light of the standards set forth herein, the court finds that the amounts sought are reasonable, but with certain deductions.

The court finds that the rates charged by the attorneys are reasonable for an AmLaw 100 firm and for the skills, experience and reputations of the attorneys involved. This was an

action in which the plaintiffs sought declaratory judgment that they not obligated to indemnify Meade Pipeline and were thus entitled to \$21 million held in escrow. This action was commenced in 2022 and litigation continued through today, with substantive motion practice, including Meade Pipeline's motion to dismiss (MOT SEQ 001), two summary judgment motions filed by the plaintiff (MOT SEQ 005 which was withdrawn without prejudice, and MOT SEQ 006), a summary judgment motion filed by Meade Pipeline (MOT SEQ 007) and a motion from Meade Pipeline to amend its pleadings to supplement its damages sought (MOT SEQ 008). Meade Pipeline's argument that the plaintiff's work in opposing these motions, including MOT SEQ 008, was excessive, is belied by the fact that Meade Pipeline filed MOT SEQ 008 long after discovery concluded, the Note of Issue had been filed, and after summary judgment motions had been decided. In denying MOT SEQ 008, the court found that Meade Pipeline's delay in seeking to amend its counterclaim was without reasonable explanation or excuse. Counsel for both parties also engaged in extensive mediation as the court (Ostrager, J. [Ret.]) ordered on December 13, 2023, upon denying the parties' summary judgment motions. This case also went before the Appellate Division when both parties appealed the December 12, 2023, order in which the plaintiff prevailed on its summary judgment motion. Further work was occasioned when Meade Pipeline moved to reargue the appeal.

However, the court finds that certain deductions need to be made to the total amount sought. The invoices submitted include entries from Orrick staff who are not mentioned in the Kidera affirmation. No further information beyond a conclusory statement in the Kidera affirmation that "a number of other attorneys" who were "supported by a team of legal professionals that include project attorneys, paralegals, and practice support professionals. Many of the entries for these individuals are heavily redacted, making it impossible to tell the nature of the work provided for these staff members, including whether the work was legal work or administrative in nature. Accordingly, a 10% reduction of attorneys' fees is warranted.

Finally, the court finds that the amounts sought by the plaintiffs for work done in preparing its reply to the defendant's opposition to this motion, \$42,359.00 for 48.80 hours of work, is excessive. Notably, the plaintiffs sought only \$7,248.46 for work on the initial motion papers. Many of the invoice entries in regard to the reply include an unreasonable number of hours for the described work or unspecific descriptions of the work performed or indicate work performed by unidentified staff. Therefore, that sum, \$42,359.00, is deducted.

For these reasons, the plaintiffs are entitled to attorney’s fees in the amount of \$1,871,375.80.

The court has considered Meade Pipeline’s remaining contentions and finds them unavailing.

Accordingly, upon the foregoing papers and this court’s prior orders, it is

ORDERED that the plaintiffs’ motion is granted to the extent that it is awarded attorney’s fees in the total sum of \$1,871,375.80., and the motion is otherwise denied, and it is further,

ORDERED that the Clerk is directed to enter a judgment in favor of the plaintiffs, WGL Midstream MP, LLC, EIF Meade Holdings, LLC, VED NPI I, LLC, VED NP II, LLC, and COG HOLDINGS, LLC, and against defendant Meade Pipeline Investment, LLC, in the sum of \$1,871,375.80, with statutory interest from December 17, 2024, and it is further

ORDERED that, inasmuch as the action was discontinued as against defendant Citibank N.A.. with prejudice by stipulation filed December 13, 2022, the complaint is dismissed in its entirety and the matter shall be marked as disposed.

This constitutes the Decision and Order of the court.



NANCY M. BANNON, J.S.C.
HON. NANCY M. BANNON

8/27/2025
DATE

CHECK ONE:	<input checked="" type="checkbox"/>	CASE DISPOSED	<input type="checkbox"/>	NON-FINAL DISPOSITION
	<input type="checkbox"/>	GRANTED	<input type="checkbox"/>	GRANTED IN PART
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input checked="" type="checkbox"/>	OTHER
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	REFERENCE
			<input type="checkbox"/>	DENIED
			<input type="checkbox"/>	FIDUCIARY APPOINTMENT