

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

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BETHANY R. SCAER and STEPHEN :  
SCAER, :

Plaintiffs, :

v. :

CITY OF NASHUA, a municipal :  
corporation; :

Defendant. :

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Case No. 1:24-cv-00277-LM-TSM

**PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND EXPENSES  
PURSUANT TO 42 U.S.C. § 1988**

Plaintiffs Bethany and Stephen Scaer move for an award of attorneys' fees and expenses pursuant to 42 U.S.C. § 1988(b). The requested fee award is appropriate because this Court entered a final judgment pursuant to Rule 68 ordering the City of Nashua to adhere to certain policies and to pay nominal damages to Plaintiffs. Dkt. 60. This Court also previously entered an interim declaratory judgment, permanently resolving central issues of merits in the Scaers' favor, *see* Dkt. 54, and later. Under both of these judgments, separately or together, the Scaers are prevailing parties, entitled to reasonable attorneys' fees and expenses.

Plaintiffs seek a total recovery of \$249,960.90, which reflects a reasonable number of hours multiplied by reasonable billing rates, along with reasonable litigation expenses. Plaintiffs also seek any additional fees, incurred in litigating

this motion. Plaintiffs set forth the grounds for their motion, along with supporting exhibits, in the memorandum of law accompanying this motion.

Dated: June 15, 2026

Respectfully submitted,

/s/ Roy S. McCandless

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/s/ Nathan J. Ristuccia

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*\*Pro hac vice*

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### **CERTIFICATE OF SERVICE**

I hereby certify that, on June 15, 2026, a true and correct copy of the foregoing motion was served via CM/ECF upon the counsel of record of all parties.

Executed under penalty of perjury.

Dated: June 15, 2026

s/Nathan J. Ristuccia

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<sup>1</sup> Not a D.C. Bar Member but providing legal services in the District of Columbia exclusively before federal courts, as authorized by D.C. Ct. App. R. 49(c)(3).