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**RAILS-TO-TRAILS - FEDERAL**

## Bradley v. United States

**United States Court of Federal Claims - February 1, 2023 - Fed.Cl. - 2023 WL 1432639**

In rails-to-trails case, owners of real property adjacent to railroad line sued United States, claiming just compensation for alleged taking of their property by authorizing conversion of right-of-way for railroad line into recreational trail pursuant to National Trail Systems Act.

After entering settlement agreement, in which owners obtained award of just compensation and interest from government, eight owners moved for award of attorneys' fees and costs, under Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA).

The Court of Federal Claims held that:

- Owners' recovery of attorneys' fees was not limited by contingency fee agreement;
- Owners were entitled to fees and costs for prelitigation work by prior counsel;
- Owners moving for award of fees and costs were entitled to $183,999.96 for work performed by one law firm; and
- Owners moving for award of fees and costs were entitled to $21,101.92 for prelitigation work by prior counsel.


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