

NOT FOR PUBLICATION

APR 17 2017

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

KEVIN BOGUE,

No. 15-35078

Plaintiff-Appellant,

D.C. No. 3:14-cv-05799-RBL

v.

MEMORANDUM*

NCO FINANCIAL SYSTEMS, INC.,

Defendant-Appellee.

Appeal from the United States District Court for the Western District of Washington Ronald B. Leighton, District Judge, Presiding

Submitted April 7, 2017**
Seattle, Washington

Before: W. FLETCHER and GOULD, Circuit Judges, and BLOCK,*** District Judge.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

^{**} The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

^{***} The Honorable Frederic Block, United States District Judge for the Eastern District of New York, sitting by designation.

Kevin Bogue appeals from a district court order awarding him \$1,001 in attorney's fees. Because the district judge did not begin his fees analysis by first calculating the lodestar, Bogue asks that we vacate the award and remand for a recalculation of fees. *See Camacho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 982 (9th Cir. 2008). Under the circumstances, a remand for recalculation is so likely to result in the same award that we decline to do as Bogue requests.

AFFIRMED