

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MD ELTON R. KERR,

Plaintiff,

:

Case No. 3:07-cv-297

-vs-

:

Magistrate Judge Michael R. Merz

MD WILLIAM W. HURD, et al.,

Defendants.

DECISION AND ORDER

This case is before the Court on Plaintiff's Motion to Order Payment of Expert Witness Fees (Doc. No. 69). Having examined the motion papers and particularly Mr. Stover's Affidavit (Doc. No. 91), the Court finds the Motion well taken. The hourly fee which a witness regularly charges his clients is presumptively reasonable and the witness here sets forth the amount of time expended and explains why it was reasonable.

Defendant Wright State Physicians is ordered to pay Mr. Stover's fee in the amount of \$2,424.00.

August 4, 2009.

s/ **Michael R. Merz**

United States Magistrate Judge