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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VICTORIA HALL; RALPH HALL,)	No. 12-15523
individually and on behalf of J.H.)	
a minor,)	D.C. No. 2:11-cv-00294-ROS
)	
Plaintiffs - Appellants,)	MEMORANDUM*
)	
v.)	
)	
COOLIDGE UNIFIED SCHOOL)	
DISTRICT NO. 21,)	
)	
Defendant - Appellee.)	
_____)	

Appeal from the United States District Court
for the District of Arizona
Roslyn O. Silver, Senior District Judge, Presiding

Submitted November 6, 2013**
San Francisco, California

Before: FARRIS, FERNANDEZ, and IKUTA, Circuit Judges.

Victoria and Ralph Hall appeal the district court’s order which awarded

*This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

**The panel unanimously finds this case suitable for decision without oral argument. Fed. R. App. P. 34(a)(2).

them attorney's fees after they prevailed in their action against Coolidge Unified School District No. 21. See 20 U.S.C. § 1415(i)(3)(B)(i)(I). We affirm.

We have carefully reviewed the record and we hold that the district court did not abuse its discretion¹ when it determined the “rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished”² and then calculated the fee award based upon those rates.³

AFFIRMED.

¹See United States. v. Hinkson, 585 F.3d 1247, 1261–62 (9th Cir. 2009) (en banc); Shapiro ex rel. Shapiro v. Paradise Valley Unified Sch. Dist. No. 69, 374 F.3d 857, 861 (9th Cir. 2004).

²See 20 U.S.C. § 1415(i)(3)(C); see also Blum v. Stenson, 465 U.S. 886, 895 n.11, 104 S. Ct. 1541, 1547 n.11, 79 L. Ed. 2d 891 (1984); Christensen v. Stevedoring Servs. of Am., 557 F.3d 1049, 1053 (9th Cir. 2009); Shapiro, 374 F.3d at 865–66; Barjon v. Dalton, 132 F.3d 496, 502 (9th Cir. 1997); Greater L.A. Council on Deafness v. Cmty. Television of S. Cal., 813 F.2d 217, 221 (9th Cir. 1987).

³The Halls suggest that the State Bar of Arizona's, 2010 Economics of Law Practice in Arizona, upon which the district court relied, is inadmissible hearsay. However, that issue was not raised before the district court. We decline to consider it. See O'Guinn v. Lovelock Corr. Ctr., 502 F.3d 1056, 1063 n.3 (9th Cir. 2007); Pfingston v. Ronan Eng'g Co., 284 F.3d 999, 1003–04 (9th Cir. 2002).