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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Mister Softee, Inc.; Mister Softee)  
Franchise, LLC,

CV 11-01632-PHX-FJM

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Plaintiffs,

**ORDER**

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vs.

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Nidal Awawda, dba "Mister Frosty,"

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Defendant.

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We have before us plaintiffs' itemization of attorney fees (docs. 17 and 18). This action arises from defendant's unauthorized use of plaintiffs' trademarked musical jingle. On December 29, 2011 we granted plaintiffs' motion for default judgment, permanent injunction, and attorneys' fees (doc. 15). We found that an award of attorney fees was warranted under the Lanham Act, which permits a court "in exceptional cases" to award "reasonable attorney fees to the prevailing party." 15 U.S.C. § 1117(a). We ordered plaintiffs to submit an itemization of fees, and provided defendant with an opportunity to object to the reasonableness of the fees sought. Defendant's objections were due within seven days of plaintiffs filing their itemization of fees.

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Plaintiffs timely submitted an itemization of attorneys' fees incurred by local counsel (doc. 18) and outside counsel (doc. 17). Defendant did not file any objections, and the time to do so has expired. In total, plaintiffs incurred \$5,542.00 in attorneys' fees representing

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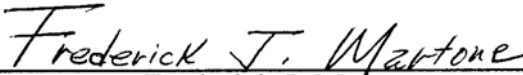
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1 approximately twenty hours of work. The fees sought are reasonable, and defendant has not  
2 objected otherwise.

3 Accordingly, pursuant to our December 29, 2011 order granting plaintiffs' motion for  
4 attorneys' fees (doc. 15), **IT IS ORDERED** that defendant Nidal Awawda pay plaintiffs  
5 \$5,542.00 in attorneys' fees.

6 DATED this 20<sup>th</sup> day of January, 2012.

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10 Frederick J. Martone  
11 United States District Judge  
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