

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

TASHA WADE,

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Plaintiff,

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vs.

No. 4:13-cv-00749-SWW

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FALCON MECHANICAL
CONTRACTORS, INC.; and
SHANE MARCUS, in his official
and individual capacity,

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Defendants,

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FALCON MECHANICAL
CONTRACTORS, INC.,

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Counter-Plaintiff,

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vs.

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TASHA WADE,

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Counter-Defendant.

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ORDER

By order entered July 29, 2014 [doc.#22], the Court granted an unopposed motion to compel by separate defendant Shane Marcus and ordered *pro se* plaintiff Tasha Wade to (1) provide full and complete responses to Marcus’s Interrogatories and Requests for Production of Documents without redaction, (2) provide full and complete responses to Falcon’s Interrogatories and Requests for Production of Documents without redaction, and (3) complete the authorizations tendered in discovery. Because it granted Marcus’s motion to compel, the Court informed Wade that it must require her to pay Marcus’s reasonable fees incurred in

making the motion to compel, including attorney's fees, unless she demonstrates that her failure to provide the defendants' full and complete responses to their discovery "was substantially justified" or that "other circumstances make an award of expenses unjust." Fed.R.Civ.P. 37(a)(5)(A); see also *Arnold v. ADT Sec. Services, Inc.*, 627 F.3d 716, 720 (8th Cir. 2010).

Now before the Court is Marcus's timely motion for attorney's fees and expenses in the total amount of \$2,303.00 [doc.#23]. Wade has not responded to Marcus's motion and the time for doing so has passed.

There being no objection, and having considered the record (including the affidavit of James D. Robertson and the attached invoices), the Court finds that the hours expended in making Marcus's motion to compel and the hourly rates of counsel and (presumably) the paralegal are all reasonable.

IT IS THEREFORE ORDERED that separate defendant Shane Marcus's motion for attorney's fees and expenses [doc.#23] is granted and he is hereby awarded judgment against plaintiff Tasha Wade in the amount of \$2,303.00.

Dated this 29th day of September 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE