

IN THE UNITED STATE DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

DANIEL FARRIS

PLAINTIFF

VS.

CASE NO. 11-CV-4042

NCO FINANCIAL SYSTEMS, INC.

DEFENDANT

ORDER

Before the Court is Plaintiff's Motion for Attorney's Fees and Costs. (ECF No. 12). Defendant has responded. (ECF No. 13). Plaintiff has filed a reply. (ECF No. 15). The Court finds the matter ripe for consideration.

Plaintiff brought a cause of action against Defendant, pursuant the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.* On August 12, 2011, Plaintiff filed his acceptance of Defendant's Offer of Judgment. (ECF No. 10). Plaintiff was awarded \$500.00 as statutory damages and \$200.00 as actual damages. (ECF No. 11). Plaintiff was also awarded attorney's fees and reasonable costs, with a specific reservation of the issue of Plaintiff's costs and attorney's fees to be determined by the Court. Plaintiff now moves the Court to determine the amount of costs and attorney's fees to be awarded.

Under the FDCPA, a plaintiff in a "successful action to enforce [FDCPA] liability" can recover "the costs of the action, together with a reasonable attorney's fee as determined by the court." 15 U.S.C. § 1692k(a)(3). Here, Plaintiff moves the Court to award him costs in the amount of \$350.00 and attorney's fees in the amount of \$3,049.20. Defendant has no objection to the costs; however Defendant opposes the amount of time and the hourly rates being charged by Plaintiff's attorneys.

The starting point for determining attorney's fees is the lodestar, which is calculated by multiplying the number of hours reasonably expended by the reasonable hourly rates. *Hanig v. Lee*, 415 F.3d 822, 825 (8th Cir. 2005). The Court has reviewed Plaintiff's documentation supporting his

