

1 **JOHN F. MARTIN, ESQ. (SBN 52618)**
2 **CHRISTINE HOPKINS, ESQ. (SBN 240248)**
3 **LAW OFFICES OF JOHN F. MARTIN**

4 A Professional Corporation
5 3100 Oak Road, Suite 230
6 Post Office Box 5331
7 Walnut Creek, CA 94596
8 Telephone: (925) 937-5433
9 Facsimile: (925) 938-5567

10 Attorneys for Plaintiff,
11 C.B.

12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA (FRESNO DIVISION)**

14 C.B., a minor,

15 Plaintiff,

16 v.

17 CITY OF SONORA; CHIEF OF POLICE
18 MACE MCINTOSH; OFFICER HAL
19 PROCK,

20 Defendants.

Case No. 1:09-CV-00285-OWW-SMS

**ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEYS FEES**

Trial Completed: August 23, 24, 25, 26, 30,
31 & September 1, 2011

Courtroom: 3
Hon.: Oliver W. Wanger

Action filed: 2/13/09

21 The Court having read the moving and opposing papers and considering the evidence
22 herein finds Plaintiff's Motions for Attorneys Fees appropriate for determination without oral
23 argument.

24 Pursuant to the Civil Rights Attorney's Fees Awards Act of 1976, 42 U.S.C. § 1988 , the
25 Court finds Plaintiff C.B. the prevailing party and hereby grants Plaintiff C.B.'s Motion for
26 Attorneys fees and orders as follows:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(1) The Court GRANTS attorney's fees in the amount of \$163,275 to Plaintiff C.B. and his attorneys of record against the Defendants City of Sonora, Mace McIntosh and Hal Prock. The Court finds that the attorney hours of 544.25 are reasonable and that the rate of \$300 per hour is a reasonable rate considering the prevailing compensation for Plaintiffs' civil rights attorneys in the Fresno Division and the *Kerr* factors.

(2) The Court further DENIES Plaintiff C.B.'s request for \$26,382.85 in expenses which are separate from and in addition to the Bill of Costs.

IT IS SO ORDERED.

Date: September 30, 2011

/s/ Oliver W. Wanger
HONORABLE OLIVER W. WANGER