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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HENDRIK BLOCK,
Plaintiff,

Case No. 1:16-cv-00650-LJO-SKO

v.

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 53)

GARY CHRISTIAN; BONNIE M.
CHRISTIAN; AMANDA FLOREZ dba
PUBLIC AUCTION R US,
Defendants.

_____ /

On July 7, 2017, Plaintiff Hendrik Block (“Plaintiff”) filed a motion for attorney’s fees, costs, and litigation expenses against Defendants Gary Christian, Bonnie M. Christian, and Amanda Florez dba Public Auction R Us (collectively “Defendants”). (Doc. 51.) On November 13, 2017, the assigned magistrate judge issued findings and recommendations recommending that Plaintiff be awarded attorney’s fees in the amount of \$25,492.50 (54.90 hours at \$325 per hour and 25.5 hours at \$300 per hour), paralegal fees in the amount of \$3,782.00 (23.2 hours at \$115 per hour, 6.3 hours at \$115 per hour, and 4.1 hours at \$95 per hour), and costs of suit in the amount of \$5,673.94. (Doc. 53.) Those findings and recommendations were served on all parties

1 appearing in this action and contained notice that any objections were to be filed within twenty-
2 one (21) days after service. (Doc. 53.)

3 On December 1, 2017, Plaintiff filed objections to the findings and recommendations.
4 (Doc. 54.) Plaintiff objected, first, to the magistrate judge’s finding that the reasonable hourly rate
5 for Plaintiff’s lead counsel, Zachary M. Best, Esq., is \$325 per hour, rather than the requested rate
6 of \$350 per hour. (*Id.* at 2-3.) Plaintiff further objected to the magistrate judge’s reduction in the
7 time Plaintiff’s lead counsel, Mr. Best, purportedly expended on the motion for attorney’s fees.
8 (*Id.* at 4.) To date, Defendants have filed no objections, and the time for filing objections has
9 passed.

10 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has
11 conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court finds
12 the findings and recommendations to be supported by the record and by proper analysis.¹

13 Accordingly,

- 14 1. The findings and recommendations (Doc. 53), dated November 13, 2017, are
15 adopted in full;
- 16 2. Plaintiff is awarded attorney’s fees in the amount of \$25,492.50, paralegal fees in
17 the amount of \$3,782.00, and costs of suit in the amount of \$5,673.94.
- 18 3. This action is closed.

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20 IT IS SO ORDERED.

21 Dated: December 13, 2017 /s/ Lawrence J. O’Neill
22 UNITED STATES CHIEF DISTRICT JUDGE

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26 ¹ The Court notes that “Plaintiff acknowledges that *some* reduction of hours [from 33.8 to 15 hours] for the fees
27 application might be warranted.” (Doc. 54 at 4 (emphasis added).) Additionally, it is worth noting that Plaintiff does
28 not address *Trujillo v. Lakhani*, No. 1:17-cv-00056-LJO-SAB, 2017 WL 1831942, at *8 (E.D. Cal. May 8, 2017), in
which this Court previously rejected the request by Plaintiff’s lead counsel, Mr. Best, for an hourly rate of \$350, and
instead awarded an hourly rate of \$300, on the ground that “only half of Mr. Best’s experience is in representing
plaintiffs and defendants in ADA cases.”