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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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|-------------------------|---|-------------------------------|
| GLORIA AVILA, et al., |) | Case No. S:08-CV-2488 JAM-KJN |
| |) | |
| Plaintiffs, |) | ORDER - SANCTIONS FOR LATE |
| |) | PRODUCTION OF DOCUMENTS |
| v. |) | |
| |) | |
| OLIVERA EGG RANCH, LLC, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |

Defendant failed to produce certain discoverable documents to Plaintiffs in a timely manner. Plaintiffs filed a motion for sanctions (Doc. #291) which was opposed by Defendant. On the first day of trial, the Court granted Plaintiffs' motion for sanctions and ordered Defendant to pay monetary sanctions. The amount of monetary sanctions was to be determined by the Court after receiving further information from Plaintiffs' counsel as to the amount of reasonable attorneys' fees that were incurred in bringing the motion for sanctions.

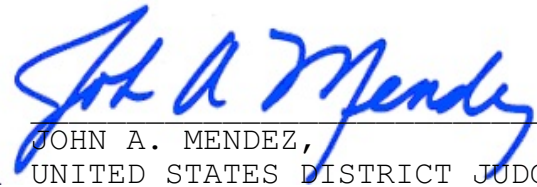
Plaintiffs submitted this information to the Court on June 13, 2011 (Doc. #338). Plaintiffs requested that sanctions be imposed

1 in the amount of \$43,450. Defendant opposed this request (Doc.
2 #340) and asked the Court to deny Plaintiffs' request for
3 attorneys' fees or only award monetary sanctions in the amount of
4 \$10,000 to \$15,000. Defendant submitted the Declaration of James
5 P. Schratz in support of its opposition (Doc. #340-1). Plaintiffs
6 filed a reply to Defendant's opposition (Doc. #341).

7 The Court having considered the arguments of counsel, hereby
8 reaffirms its previous order that Defendant shall pay a monetary
9 sanction for its discovery violation. The Court finds that
10 Plaintiffs' request for \$43,450 is excessive. Plaintiffs' fees on
11 the motions for sanctions included tasks that were unnecessary,
12 duplicative, and contained a few unexplained discrepancies. On the
13 other hand, Defendant has not provided any basis for Mr. Schratz's
14 conclusion that Plaintiffs should only be awarded fees in the range
15 of \$10,000 to \$15,000. The Court reaffirms its previous Order that
16 Defendant shall pay Plaintiffs their reasonable attorneys' fees
17 incurred in bringing the motion for sanctions. Accordingly,
18 Defendant is ordered to pay Plaintiffs a monetary sanction in the
19 amount of \$25,000. Payment shall be made within thirty (30) days
20 of this Order.

21 IT IS SO ORDERED.

22 Dated: August 9, 2011

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25 JOHN A. MENDEZ,
26 UNITED STATES DISTRICT JUDGE
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