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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS T. AOKI,
Plaintiff,
v.
GREGORY FORD GILBERT, et al.,
Defendant.

No. 2:11-cv-2797 TLN CKD

ORDER

On June 15, 2017, this court requested supplemental briefing in support of plaintiff’s request for \$3,500 in fees and costs associated with a motion to compel that has been granted. (ECF No. 240.) On June 26, 2017, plaintiff filed a brief in support of attorneys’ fees and costs. (ECF No. 241.) Defendant did not respond. Upon review of the documents in support and good cause appearing therefor, THE COURT FINDS AS FOLLOWS:

“In determining a reasonable hourly rate, the district court should be guided by the rate prevailing in the community for similar work performed by attorneys of comparable skill, experience, and reputation.” Ingram v. Oroudjian, 647 F.3d 925, 928 (9th Cir. 2011) (quotation marks omitted).

The attorney who performed the work to be reimbursed is Duyen T. Nguyen, “a San Francisco-based attorney with over 14 years’ complex business litigation experience where she has handled matters through trial.” (ECF No. 241 at 4.) Plaintiff sufficiently established that an

1 hourly rate of \$350-\$450 per hour is a reasonable rate for attorneys practicing in Sacramento,
2 with a similar level of experience to Ms. Nugyen. (See Id. at 2–3; Morgan Hill Concerned
3 Parents Association, et al., v. California Department of Education, No. 2:11-cv-03471-KJM-AC,
4 2017 WL 2492850 at *1 (E.D. Cal. 2017); Cosby v. Autozone, Inc., No. 2:08-CV-00505-KJM-
5 DAD, 2016 WL 1626997, at *7 (E.D. Cal. Apr. 25, 2016); Trulsson v. Cty. of San Joaquin Dist.
6 Attorneys’ Office, Civ. No. 2:11-02986-KJM-DAD, 2014 WL 5472787, at *6 (E.D. Cal. 2014);
7 Lin v. Dignity Health, Civ. No. S–14–0666 KJM CKD, 2014 WL 5698448 at *3, (E.D. Cal.
8 2014).) Furthermore, plaintiff sufficiently demonstrated that plaintiff incurred well over
9 \$3500.00 in fees and costs in bringing the motion to compel. (See ECF No. 241 at 4–6, exs. A
10 and B (“In sum, as the total fees and costs incurred actually totals \$6930.64, Plaintiff has already
11 preemptively reduced the sanctions amount requested by at least 50%.”).)

12 Accordingly, it is HEREBY ORDERED THAT:

- 13 1. Plaintiff’s request for \$3,500 in fees and costs (ECF No. 231) is GRANTED.
- 14 2. Within ten (10) days of this order, defendant shall pay the plaintiff the amount of
15 \$3,500.

16 IT IS SO ORDERED.

17 Dated: July 18, 2017

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19 _____
20 CAROLYN K. DELANEY
21 UNITED STATES MAGISTRATE JUDGE

22 14/11.2797.aoki. order granting attorney fees
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