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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATHAN LENARD,

Plaintiff,

v.

THE SHERWIN-WILLIAMS  
COMPANY,

Defendant.

No. 2:13-cv-2548 KJM AC

ORDER

I. BACKGROUND

On April 13, 2015, the court ordered defendant's counsel to pay plaintiff's counsel \$4,960.00 in attorney fees. ECF No. 19. However, the order mistakenly directed plaintiff's counsel to file an affidavit attesting that defendant was not billed for the fees. Plaintiff's counsel has filed the declaration, and gently let the court know that it may have erred in requiring him to file it. ECF No. 20. In fact, the order should have directed defendant's counsel to file the affidavit or declaration attesting that the fees were paid, and that his client, the defendant, was not billed for them.

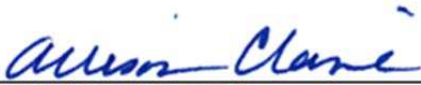
Accordingly, IT IS HEREBY ORDERED that:

1. Within fourteen days from the date of this order, defendant's counsel shall serve and file a sworn affidavit or declaration stating that the above payment has been made, and that it was not billed to his client, the defendant.

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2. If defendant's counsel has already billed his client for the fees, he shall refund the fees and file an affidavit or declaration so attesting.

DATED: April 28, 2015

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE