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8	IN THE UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JULIE TURNER,	No. 2:17-CV-1047-TLN-DMC
12	Plaintiff,	
13	v.	ORDER
14	REDDING BANK OF COMMERCE,	
15	Defendant.	
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17	Plaintiff, who is proceeding with retained counsel, brings this civil action. On	
18	September 14, 2018, the court granted defendant's motion to compel and motion for expenses	
19	under Federal Rule of Civil Procedure 37(a)(5) subject to submission of a supplemental	
20	declaration from defendant's counsel as to actual expenses. Defendant's counsel has submitted a	
21	supplemental declaration (Doc. 36) and plaintiff's counsel has replied (Doc. 37).	
22	As outlined in the counsel's supplemental declaration, defendant seeks an order	
23	awarding \$7,688.00 in attorney's fees representing 28.4 hours of work at a rate of \$270 per hour.	
24	Defendant does not seek any costs associated with its motion to compel. Of the claimed 28.4	
25	hours, 5.4 hours are claimed relating to time traveling to Sacramento on July 11, 2018, to attend	
26	the originally-scheduled hearing. Plaintiff objects to this portion of defendant's request.	
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1	Plaintiff's objection is well-taken. While the court's local rules require that	
2	discovery motions be noticed for hearing before the assigned Magistrate Judge, see E. Dist. Cal.	
3	Local Rule 302(c)(1), defendant noticed its motion to compel and motion for expenses for hearing	
4	at the courthouse "located at 501 I Street, Sacramento, California," see Docs. 20 and 21	
5	(defendant's notices of motion), even though the assigned Magistrate Judge in this case is located	
6	in Redding, California. Given defendant's error in noticing its motions for hearing in Sacramento	
7	instead of Redding, the expense associated with counsel's travel to and from Sacramento for a	
8	hearing on July 11, 2018, are more reasonably attributable to defendant's error rather than	
9	plaintiff's conduct necessitating the motion to compel. The amount requested will, therefore, be	
10	reduced by \$1,458.00 (5.4 hours at \$270 per hour).	
11	Accordingly, IT IS HEREBY ORDERED that plaintiff's counsel shall pay to	
12	defendant's counsel reasonable expenses pursuant to Fed. R. Civ. P. 37(a)(5) in the amount of	
13	\$6,230.00 within 15 days of the date of this order.	
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16	Dated: October 24, 2018	
17	DENNIS M. COTA	
18	UNITED STATES MAGISTRATE JUDGE	
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