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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDERICK JACKSON *et al.*,

Plaintiffs,

No. C 09-01016 WHA

v.

CITY OF PITTSBURG, *et al.*,

Defendants.

**ORDER REGARDING STATE
COURT FILING**

The Court has learned of the filings by Attorney Lagos in Alameda Superior Court *opposing* a request for attorney's fees in which he stated:

My billing rate for unlawful detainer defenses [sic] cases that proceed to jury trial is \$200.00 per hour.

(Declaration of Panos Lagos in Support of Plaintiff's Opposition to Defendants' Motion for Attorneys [sic] Fees, *Al-Manara, Inc. v. Monifah Moore, et al.*, RG10518162 (Dec. 3, 2010).)

In turn, his associate stated:

My billing rate for unlawful detainer defense cases, whether they go to trial or not is \$125 per hour.

I have only once charged a client more than \$125 per hour. That case involved a very complex litigation dealing with asbestos exposure and mold. In that case, I charged the client \$150 per hour.

(Declaration of Eugene Zinovyev in Support of Plaintiff's Opposition to Defendants' Motion for Attorneys [sic] Fees, *Al-Manara, Inc. v. Monifah Moore, et al.*, RG10518162 (Dec. 3, 2010).)

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In our instant case, in *seeking* attorney's fees, Attorney Lagos stated:

I believe a reasonable rate for my services is \$650.00 per hour, which is in line with the prevailing market rates charged by other firms for attorneys with comparable experience in the Bay Area. . . .

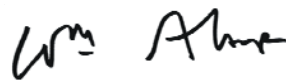
I believe a reasonable rate for [Mr. Zinovyev's] services is \$200 per hour, which is in line with the prevailing market rates charged by other firms for attorneys with comparable experience in the Bay Area.

(Dkt. No. 283 at ¶ 17, 19.) In other words, in *seeking* an attorney's fees award from this Court Attorney Lagos has been arguing for more than three times what he has said to the Alameda court that he may ordinarily charge.

This apparent discrepancy must be explained by both Attorney Lagos and Attorney Zinovyev in separate declarations to be filed by **NOON ON JANUARY 13, 2011**. Meanwhile, all proceedings and conferences over the amount of any attorney's fees award in the instant case must be halted until we can determine what impact, if any, this apparent discrepancy should have on the pending motion for attorney's fees. Defense counsel should not file any memoranda or declarations until invited to do so.

IT IS SO ORDERED.

Dated: January 7, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE