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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 NWAKUCHE UG,

No. C 10-01452 SI

9 Plaintiff,

**ORDER AWARDING COSTS**

10 v.

11 MORTGAGE LENDER SERVICES, INC., et al.,

12 Defendants.  
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14 Plaintiff Nwakuche Ug filed this mortgage fraud action in December 2009 in the Contra Costa  
15 County Superior Court. After plaintiff amended his complaint in March 2010, defendant Countrywide  
16 purported to remove the action to this Court. On May 28, 2010, the Court issued an order denying  
17 Countrywide's motion to dismiss the complaint and granting plaintiff's motion to remand, finding that  
18 Countrywide's removal was clearly untimely. The Court remanded the action to the Contra Costa  
19 County Superior Court but specifically retained jurisdiction to consider plaintiff's request for an award  
20 of costs pursuant to 28 U.S.C. § 1447(c), which permits the Court to order payment of "just costs and  
21 any actual expenses, including attorney fees, incurred as a result of [a defective] removal."

22 Plaintiff's counsel has submitted a declaration describing the basis for the attorneys' fees and  
23 costs incurred as a result of the untimely removal. It appears that the requested hourly rate, the hours  
24 expended on this litigation, and the costs incurred are reasonable. The Court therefore awards plaintiff  
25 \$12,859 in attorneys' fees and costs.

26 **IT IS SO ORDERED.**

27 Dated: June 21, 2010



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SUSAN ILLSTON  
United States District Judge