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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC,
Plaintiff,
v.
JOHN JEFFREY PHAIR, et al.,
Defendants.

Case No. 12-cv-05781-VC

ORDER AWARDING FEES

Re: Docket Nos. 44, 45, 46

J & J Sports Productions, Inc. is ordered to pay the defendants \$997.50 for defense counsel's reasonable attorneys' fees incurred in responding to J & J's frivolous motion for fees. *See* Order, Doc. No. 44. As J & J acknowledges, defense counsel's hourly rate of \$285 is reasonable in light of the prevailing rate of \$482 per hour for associates in the San Francisco Bay area, and the 3.5 hours she spent responding to J & J's motion is also reasonable. *See* Doc. No. 45, Exs. 3 and 4.

The Court has considered J & J's objections, namely that the plaintiff has been awarded attorneys' fees based on a similar motion in the past. But the fact that J & J has prevailed on its frivolous motions in the past does not mean the conduct should be permitted. And many courts have addressed J & J's practice of submitting this identical, unsupported motion, even flagging for the plaintiff its copying and pasting errors, and yet the practice continues. Finally, the defendants' default does not prevent the Court from assessing sanctions on its own accord.

IT IS SO ORDERED.

Dated: August 29, 2014



VINCE CHHABRIA
United States District Judge