

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

CRATERS & FREIGHTERS,

Plaintiff,

v.

DAISYCHAIN ENTERPRISES, dba
FREIGHT & CRATE; CATHY BENZ; and
FRED BENZ.

Defendants.

No. C 09-04531 CW

ORDER AWARDING PLAINTIFF
ATTORNEYS' FEES AND
COSTS

United States District Court
For the Northern District of California

On May 22, 2014, the Court entered an order granting Plaintiff's motion for contempt sanctions against Defendants Cathy Benz and Fred Benz. The Court further ordered Defendants to pay Plaintiff's reasonable attorneys' fees and costs expended in pursuing the motion for order to show cause. The Court directed Plaintiff to submit its attorneys' billing records and hourly rates and gave Defendants an opportunity to respond.

Plaintiff has filed the declaration of its attorney, John Schmitz, attaching a statement of fees and costs incurred in pursuing the two motions for orders to show cause. Defendants' deadline to respond to the declaration was August 19, 2014. To date, Defendants have not filed a response.

Plaintiff claims 9.6 hours of attorney Schmitz's time at a rate of \$235 per hour and 2.6 hours of paralegal time at a rate of \$85 per hour. In addition Plaintiff claims \$50.31 in costs. The fees and costs total \$2,527.31. The Court finds that the fees and costs claimed are reasonable. Within seven days of the date of

1 this order, Defendants shall pay Plaintiff \$2,527.31. All
2 payments must be made by money order or cashier's check. A
3 promissory note is not sufficient payment. If Defendants are
4 unable to pay this amount within seven days, they shall pay what
5 they can and shall file a financial affidavit and a proposed
6 payment plan within seven days of the date of this order.

7 IT IS SO ORDERED.

8
9 Dated: September 26, 2014



CLAUDIA WILKEN
United States District Judge