

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

BOARD OF TRUSTEES, *et al.*,
Plaintiffs,
v.
TOTAL AIR BALANCE, INC.,
Defendant.

No. C 11-0030 LB

**ORDER DIRECTING PLAINTIFFS
TO FILE SUPPLEMENTAL BRIEF
RE ATTORNEYS FEES**

In the above-captioned matter, Plaintiffs filed a motion for default judgment. ECF No. 21.¹ Plaintiffs seek attorneys' fees. *Id.* at 4. Plaintiffs' counsel filed a declaration in support of the application for the award of attorneys's fees. Carroll Decl., ECF No. 24 at 2, ¶ 5. The undersigned directs Plaintiffs' counsel to supplement his declaration to address the deficiency identified below.

A fee applicant must show that he exercised billing judgment in the preparation of the attorney's fee application and that the requested hours were reasonably expended (i.e., not duplicative, unproductive, excessive or otherwise unnecessary). *Hensley v. Eckerhart*, 461 U.S. 424, 434 (1983). Detailed billing records – e.g., hourly invoices – are generally required to assist the court in its determination of reasonable fees. *See, e.g., Entm't Research Grp., Inc. v. Genesis Creative Grp., Inc.*, 122 F.3d 1211, 1232 (9th Cir. 1997) (“[T]he district court abused its discretion

¹ Citations are to the clerk's electronic case file (ECF) with pin cites to the electronic page numbers at the top (as opposed to the bottom) of the page.

1 by not requiring . . . original time records and billing statements.”); *Hensley*, 461 U.S. at 433
2 (“Where the documentation of hours is inadequate, the district court may reduce the award
3 accordingly.”).

4 The court **ORDERS** Plaintiffs to file the supplemental declaration by November 15, 2011,
5 and to email the billing records in Wordperfect, Microsoft Word, or Microsoft Excel format to
6 lbpo@cand.uscourts.gov.

7 **IT IS SO ORDERED**

8 Dated: November 1, 2011



LAUREL BEELER
United States Magistrate Judge

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28