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28E-FILED on 12/18/08IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISIONSUSANNE M. PALMER, On Behalf of Herself
and Others Similarly Situated,

Plaintiff,

v.

FAR WEST COLLECTION SERVICES, INC.,

Defendant.

No. C-04-03027 RMW

ORDER GRANTING PLAINTIFFS' MOTION
FOR FEES AND COSTS**[Re Docket No. 177]**

The court approved a final settlement between the parties on August 12, 2008. Plaintiff Susanne Palmer ("Palmer") now moves for attorneys fees and costs pursuant to 15 U.S.C. § 1692(k). Because attorneys fees were incorporated into the settlement class fund, defendant Far West Collection Services, Inc. ("Far West") does not oppose the instant motion. For the reasons stated below, the court grants Palmer's motion for fees.

Plaintiff filed this class action lawsuit in July of 2004, alleging violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §§ 1692, *et seq.*, and the California Unfair Competition Law ("UCL"), Cal. Bus. & Prof. Code §§ 17200, *et seq.* Over the next two years the parties briefed and argued a motion to dismiss, two motions for reconsideration, and a variety of class-certification issues. On September 14, 2006, the court certified plaintiffs' class against Far West. After some dispute about class notice, and difficulties in collecting accurate class information, the parties submitted a motion for preliminary settlement approval in January of 2008. The court approved class notice and preliminarily

1 approved the settlement on April 19, 2008. The court finally approved the class settlement on August
 2 12, 2008. Plaintiffs filed the instant motion for fees, which defendants do not oppose, on November 7,
 3 2008. Plaintiffs provide the following hours breakdown in their motion for fees:

4 Attorney	Total Compensable Hours	Hourly Rate	Total Compensation
5 O. Randolph Bragg	23.31	\$465	\$10,839.15
6 Paul Arons	129.51	\$425	\$55,041.75
7 Ronald Wilcox	56.16	\$325	\$18,252.00
8 Craig Shapiro	6.93	\$225	\$1,559.25
9 Adam M. Mergenthaler	0.9	\$225	\$202.50
10 James M. Smith	4.68	\$225	\$105.30
Total Attorney Fees			\$85,999.95

11 Under the settlement agreement defendants paid \$66,518.38 into a trust account. As part of the
 12 settlement, plaintiffs have agreed to cap the award of attorneys fees and costs at \$52,000. Plaintiffs here
 13 seek that amount. The fees and costs requested do not adversely impact recovery for plaintiffs.

14 In a successful action under the FDCPA, the award of attorneys fees to the plaintiff is mandatory.
 15 15 U.S.C. § 1692k(a)(3); *Camacho v. Bridgeport Financial*, 523 F.3d 973, 978 (9th Cir. 2008). In
 16 making such an award, the court should use the lodestar method, multiplying a reasonable expenditure
 17 of time by a reasonable rate to reach what is, presumptively, a reasonable award. *Id.*

18 In support of their motion for fees, plaintiffs' counsel O. Randolph Bragg, Paul Arons, and
 19 Ronald Wilcox have submitted itemized statements describing the time expended on the action and the
 20 services rendered. Wilcox Decl., Ex. 1; Bragg Decl., Ex. 1; Arons Decl. Ex. 1. The court is satisfied
 21 that counsel's motion for fees reasonably reflect the hours spent in rendering services for the class. The
 22 court further finds that \$465 an hour for Mr. Bragg, \$425 an hour for Mr. Arons, and \$325 an hour for
 23 Mr. Wilcox are reasonable rates for attorneys with their equivalent years of experience and specifically
 24 handling FDCPA cases or other debtor/creditor disputes.

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III. ORDER

For the foregoing reasons, the court grants plaintiffs' motion for attorneys fees and costs.

DATED: 12/18/08



RONALD M. WHYTE
United States District Judge

