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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CARRILLO PROPERTY INVESTMENTS, LLC,

Plaintiff,

v.

JENNIFER ROBINSON, RUCHELL ROBINSON, and DOES 1-10, INCLUSIVE,

Defendants.

Case No.: 3:17-cv-2003-BEN-NLS

ORDER GRANTING PLAINTIFFS MOTION FOR ATTORNEYS' FEES

[Doc. No. 5.]

On December 4, 2017, Plaintiff Carrillo Property Investments, LLC. ("Carrillo") filed a Motion for Attorneys' Fees pursuant to 28 U.S.C. § 1447(c) and Fed. R. Civ. P. § 54(d). Defendants have not responded to the Motion. For the reasons set forth below, the Motion is **GRANTED**.

BACKGROUND

The facts and procedural history of this case are familiar to the Court and parties. The Court's Order granting Plaintiff's Motion for Remand outlines in detail the relevant facts and procedural history. Any *critical* facts or procedural history is noted in the Court's analysis below.

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1 court sits. *Schwarz v. Sec'y of Health & Human Servs.*, 73 F.3d 895, 908 (9th Cir. 1995);
2 *see also Camancho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 979 (9th Cir. 2008).

3 Ms. Callahan has been practicing law for approximately seven years and her hourly
4 rate is \$295 per hour. (*Id.*, ¶ 5.) Mr. Olinik has been practicing law for approximately
5 nine years and has previously been approved at a rate of \$350 per hour in the San Diego
6 Superior Court. (Olinik Decl., ¶ 8.) These rates are reasonable in this community.

7 Notably, Defendants did not respond to Carrillo's Motion to Remand or address
8 the issue of attorneys' fees in any manner. The fact that the Defendants failed to oppose
9 either motion implies that they recognized the meritless nature of the removal.¹


10 The Court finds that 7.7 hours for preparation and revision of the Plaintiff's
11 Motion for Remand and Motion for Attorneys' Fees is reasonable as is the hourly rate of
12 \$295.00. Accordingly, the Court awards attorneys' fees to Carrillo from the Defendants
13 in the amount of \$2,271.50.

14 CONCLUSION

15 The Motion for Attorneys' Fees is therefore **GRANTED**. The Court awards
16 Carrillo \$2,271.50 in attorneys' fees.

17 **IT IS SO ORDERED.**

18 DATED: 5/7/2018

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20 **ROGER F. BENITEZ**
21 United States District Judge

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27 ¹ The case record illustrates the Defendants had no reasonable explanation for the
28 removal action, they frustrated the summary nature of Plaintiff's unlawful detainer action
and forced the prolonged expenditure of resources in both state and federal court.