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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 SHARIFFE VAUGHN,
12 Plaintiff,
13 v.
14 DEREK A. HAMPTON, et al.,
15 Defendants.

Case No.: 19cv1687-H(KSC)

**ORDER GRANTING PLAINTIFF'S
EX PARTE REQUEST FOR AN
ORDER APPROVING EXPENSES**

[Doc. No. 76.]

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17 This is a civil rights action alleging excessive force and retaliation while plaintiff
18 was housed at the R.J. Donovan Correctional Center (RJD) in 2018. [Doc. No. 6.] On
19 August 13, 2021, after the close of discovery but before trial, the parties filed a Notice of
20 Settlement. [Doc. No. 73.]

21 Before the Court is plaintiff's *Ex Parte* Request for an Order Approving Expenses.
22 [Doc. No. 76.] Defendants have filed a Non-Opposition to plaintiff's Request. [Doc.
23 No. 80.] Plaintiff is required to seek the Court's approval of litigation expenses pursuant
24 to California Penal Code Section 2085.8(a), because he owes restitution in the amount of
25 \$3,180.60, which must be paid from the proceeds of a settlement "after payment of
26 reasonable attorney's fees and litigation costs approved by the court." [Doc. No. 76, at
27 p. 1.]

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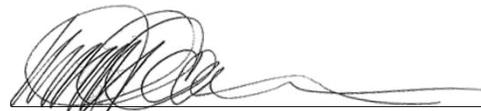
1 To support his *Ex Parte* Request, plaintiff submitted the Declaration of his counsel,
2 Ken Karan, along with Exhibits 1 through 16. [Doc. No. 76, at p. 2; Doc. No. 76-1, at
3 pp. 1-40.] Mr. Karan's Declaration states that all expenses being submitted for approval
4 were reasonably and necessarily incurred to initiate and evaluate the case and to reach a
5 resolution. [Doc. No. 76, at p. 2.] Exhibit 1 is a summary of \$13,783.10 in incurred
6 expenses. [Doc. No. 76-1, at p. 2.] Exhibits 2 through 16 are copies of records showing
7 the claimed expenses that were incurred during the litigation. [Doc. No. 76-1, at pp. 3-
8 40.]

9 There is nothing in the record to indicate any of the claimed expenses were not
10 reasonably and necessarily incurred. The expenses include the costs of filing fees,
11 service of process, deposition transcripts, witness fees, and service of a records subpoena.
12 [Doc. No. 76-2, at pp. 2-40.] As noted above, defendants do not object to any of the
13 expenses as unreasonable or unnecessary. [Doc. No. 80.] In addition, resolution of the
14 case in a manner favorable to plaintiff is further support for a finding that the claimed
15 expenses were reasonable and necessary.

16 Accordingly, under the circumstances presented, IT IS HEREBY ORDERED that
17 plaintiff's *Ex Parte* Request for an Order Approving Expenses is GRANTED. [Doc. No.
18 76.] The Court finds that the incurred expenses documented in Exhibits 1 through 16
19 were necessarily and reasonably incurred to reach a fair resolution of the case.

20 IT IS SO ORDERED.

21 Dated: October 1, 2021



Hon. Karen S. Crawford
United States Magistrate Judge