

UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO  
Judge John L. Kane

Civil Action No. **10-cv-00663-JLK**

**NICHOLAS ANDERSON AND LUCIE ANDERSON,**  
Plaintiffs,

v.

**NATIONAL CREDIT SYSTEMS, INC.,**  
Defendant.

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ORDER

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Kane, J.

On July 16, 2010, Plaintiffs filed a Motion for Attorney Fees and Costs (doc. 14), based on their status as a prevailing party under the Fair Debt Consumer Protection Act (“FDCPA”). 15 U.S.C. § 1692k(a)(3). Although the parties stipulated to the reasonable costs (doc. 16), they disputed whether Plaintiffs’ requested attorney fees were reasonable.

On November 1, 2010, I referred Plaintiffs’ motion to Magistrate Judge Hegarty for the purpose of determining the reasonableness of Plaintiffs’ requested attorney fees, and on December 1, 2010, Magistrate Judge Hegarty issued a recommendation granting in part and denying in party Plaintiffs’ motion. Neither party has objected to this recommendation.<sup>1</sup>

I have reviewed Magistrate Judge Hegarty’s recommendation, and I am satisfied “that there is no clear error on the face of the record.” *See* Fed. R. Civ. P. 72(b) advisory committee’s note; *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991). Accordingly, I adopt his findings

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<sup>1</sup> As noted by Magistrate Judge Hegarty in his recommendation, the parties had fourteen days to serve and file written objections to his recommendation in order to obtain my reconsideration of his findings. More than fourteen days have passed, and the parties have filed no written objections.

of fact and conclusions of law. Plaintiffs' Motion for Attorney Fees and Costs (doc. 14) is GRANTED in part and DENIED in part. Defendant shall pay Plaintiffs' attorney fees in the amount of \$ 3,300.00, pursuant to the terms of the Offer of Judgment accepted by the Plaintiffs..

Dated: December 20, 2010

BY THE COURT:

/s/ John L. Kane  
Senior U.S. District Judge