

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Miscellaneous Case No. 19-mc-00090-RM

BARBARA GORDON,

Petitioner,

v.

JOHN BOYD COATES III, M.D.,

Respondent.

ORDER

On November 1, 2019 the Court issued an order granting Petitioner's motion to quash Respondent's subpoena and awarding her costs and reasonable attorney fees incurred in connection with the subpoena. Petitioner then filed a bill of costs and fees (ECF No. 11) along with an affidavit from her counsel seeking \$9,583.50 in fees. Respondent filed a response and objection to the request (ECF No. 12), and Petitioner filed a reply (ECF No. 13). Upon review of Petitioner's affidavit, the pleadings, case file, and applicable law, the Court awards Petitioner fees in the amount \$9,497.50.

Having already ruled that Petitioner is entitled to her costs and fees, the Court assesses here only the reasonableness of the amount requested. The Court begins by calculating the lodestar amount of the fee, which is determined by multiplying the number of hours reasonably expended by a reasonable hourly rate. *See Robinson v. City of Edmond*, 160 F.3d 1275, 1281 (10th Cir. 1998).

Petitioner's counsel asserts that 28.6 hours of attorney time and 1.5 hours of paralegal time were reasonably expended on drafting the motion to quash, filing a reply to Respondent's response to the motion, and responding to Respondent's motion to transfer the case. Based on its general experience as well as its familiarity with the proceedings in this case, the Court agrees.

Petitioner's counsel also asserts that the hourly rates for himself (\$325) and his paralegal (\$135) are reasonable. Again, the Court agrees. Respondent offers no evidence that these rates are not comparable to rates charged by attorneys and paralegals with similar experience.

Finally, given the nature of this dispute and the reasonableness of the time expended, the Court declines to reject Petitioner's fee request merely because he failed to provide specific billing entries.

Although Petitioner seeks an award of \$9,583.50, multiplying the hours asserted by the rates provided yields a sum of \$9,497.50. Neither party addresses this discrepancy, and the Court will not award an additional \$86 for no reason.

Therefore, it is ORDERED that Petitioner is awarded a total monetary judgment of \$9,497.50 against Respondent.

DATED this 15th day of October, 2020.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge