

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DANIEL RIVERA, STEPHEN )  
KENSINGER, DEBORAH JOY )  
MEACOCK, and REBECCA )  
SCHEUNEMAN, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
ALLSTATE INSURANCE COMPANY, )  
 )  
Defendant. )

Case No. 10 C 1733

**OPINION AND ORDER**

Plaintiffs Rivera, Kensinger, Meacock, and Scheuneman have moved for allowance of attorney fees and costs. The jury returned a finding of willful noncompliance with the Fair Credit Reporting Act 15 U.S.C. § 1681n (“FCRA”) which authorizes the imposition of such fees and costs. This matter was considered in the opinion and order entered on January 20, 2017 [461].

In compliance with Local Rule 54, the parties have engaged in discussion and analysis of the extensive time entries recorded during the six years

this case has been pending. Plaintiffs' counsel have agreed with defendant's counsel that only those fees arising under the FCRA are compensable. Defendant does not contest the hourly rates of the plaintiffs' attorneys. Plaintiffs incurred fees of \$791,137.50 for 2,206.75 hours of work performed. Defendant incurred attorney fees for 10,282.6 hours incurred in defense of the claims.

Plaintiffs have reduced their claim for fees so as to relate only to the FCRA claim. The amount they seek is \$357,716.25. Defendant contends that the reduction should be to \$45,488.48. There was a substantial overlap of the claims requiring time and attention to discovery and trial efforts. The central issue in the case - the investigation of possible employee misconduct - related to all of the claims. Plaintiffs' reduction of their total fees so as to be applicable only to the FCRA claim is fair and reasonable and does not warrant any further reduction. Plaintiffs' fees request will be allowed.

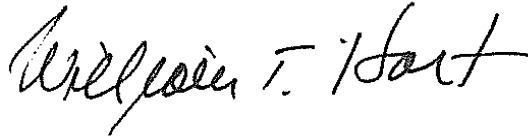
Plaintiffs have not disputed the defendant's request that certain costs be disallowed. Defendant's proposed adjustments will be allowed.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. Plaintiffs' petition for fees and costs [358], as modified, is granted.
2. The Clerk of the court is directed to enter a Supplemental Judgment in favor of plaintiffs Daniel Rivera, Stephen Kensinger, Deborah Meacock and

Rebecca Scheuneman jointly and against defendant Allstate Insurance Company in the amount of \$357,716.25 for attorney fees and \$24,143.25 for court costs.

ENTER:

Handwritten signature of William T. Hart in black ink.

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UNITED STATES DISTRICT JUDGE

DATED: MARCH 9, 2017