

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JEFF STEVENS,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 07-889-GPM
)	
GENERAL CABLE CORPORATION,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

Defendant General Cable Corporation has filed a motion for attorneys’ fees, costs, and expenses (*see* Doc. 34) as directed by the Court in its February 27, 2009, Order dismissing this case with prejudice (*see* Doc. 32).

While the Court agrees that payment of reasonable expenses is justified (*see* Fed. R. Civ. P. 37(b)(2)(C) and (d)(3)), the amount sought by Defendant’s counsel is unreasonably high. The motion to dismiss filed by Defendant is six pages long (seven, if you include the signature page). The Court fails to see how this could have required 9.9 hours of an attorney’s time (*see* Doc. 34).¹ Similarly, the amount sought for “review, analysis and preparation of pleadings” and “preparation for and drafting of discovery” is unnecessarily inflated.

Defendant’s motion for attorneys’ fees, costs, and expenses (Doc. 34) is **GRANTED in part**

¹ Counsel represents that the law firm Blank Rome billed approximately 3.9 hours for the motion to dismiss and local counsel, the Hepler Broom law firm, billed approximately 6.0 hours. This is over one hour per page for a motion that consists only of factual allegations and very few citations to case law.

and **DENIED in part**. After careful consideration, the Court finds that General Cable is entitled to **\$4,000.00**, representing \$2,000.00 for the preparation of pleadings and \$2,000.00 for discovery. The Court further orders that this amount shall be paid by Plaintiff's attorney, not Plaintiff himself, as it is the duty of the attorney advising a party to respond to discovery and prosecute a case, not the party himself.

This sanction shall be paid to defense counsel within **30 days** of this Order. In addition to the electronic distribution, the Clerk of Court shall mail a copy of this Order to Plaintiff's counsel, via certified mail, return-receipt requested.

IT IS SO ORDERED.

DATED: 5/20/09

s/ *G. Patrick Murphy*
G. Patrick Murphy
United States District Judge