

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JANE C. FORRESTER WINNE,)	
et al.,)	
)	
Plaintiffs,)	
)	
v.)	1:16-cv-00229-JDL
)	
NATIONAL COLLEGIATE)	
STUDENT LOAN TRUST 2005-1,)	
et al.,)	
)	
Defendants.)	

**ORDER ON PLAINTIFF'S MOTION FOR FEES PURSUANT TO RULE 68
OFFER OF JUDGMENT**

Jane Forrester Winne and Transworld Systems, Inc. notified the Court on May 2, 2017, that they had reached a settlement agreement. ECF No. 160. The settlement agreement provided that Transworld would pay Winne reasonable attorney's fees and costs associated with the prosecution of her claims against it. Because the parties were unable to agree on a reasonable amount of attorney's fees, I ordered the Plaintiff to submit a motion and supporting affidavit detailing the amount of attorney's fees and costs to which she believes she is entitled. ECF No. 199.

Plaintiff filed a motion, affidavit, and billing records in support of her fee request on July 6, 2017. ECF No. 207. These documents fail to adequately justify her request, however, because they do not enable the Court to determine how much of her attorney's time was spent prosecuting the specific claims against Transworld. Plaintiff requests a third of her total legal fees accrued through the date of judgment,

but does not suggest how this number relates specifically to the claims against Transworld, who is one of numerous Defendants in this matter and who did not file any of the dispositive motions briefed by the parties and decided by the Court.

Although it is the Plaintiff's burden to support her fee request, *see Hutchinson ex rel. Julien v. Patrick*, 636 F.3d 1, 13 (1st Cir. 2011), and she has failed to do so, the parties have agreed that some reasonable fee award is appropriate. ECF No. 168 at 1. Transworld recommends that \$4,500 in attorney's fees and \$400 in costs would be a reasonable amount, based on an estimate of 15 hours of attorney time for preparing the Complaint at Plaintiff's counsel's claimed rate of \$300 per hour, plus the cost of filing the Complaint. I adopt Transworld's recommendation, grant Plaintiff's motion (ECF No. 207), and **AWARD** Plaintiff \$4,900 in total fees and costs.

SO ORDERED.

Dated this 14th day of August 2017

/s/ JON D. LEVY
U.S. DISTRICT JUDGE