

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**CARL L. HARDEN, individually and in his
Capacity as President of the H Group
Corporation**

PLAINTIFF

VS.

CIVIL ACTION NO. 4:15-cv-167-MPM-JMV

ROBERT W. MAXWELL, et al.

DEFENDANTS

ORDER

This matter is before the court on the Defendants' submission of its itemized fees and expenses related to the filing of its Motion to Compel [22]. The court has considered the itemization of fees submitted by the Defendants and the applicable law, and awards fees and expenses as detailed herein.

Federal Rule of Civil Procedure 37(a)(5)(A) states in relevant part, "the court must, after giving an opportunity to be heard, require the party or deponent whose conduct necessitated the motion, the party or attorney advising that conduct, or both to pay the movant's reasonable expenses incurred in making the motion, including attorney's fees."

The court, having reviewed the itemization of fees submitted by Defendants, finds that the following expenses are "reasonable" and were "incurred in making the motion," as defined by Rule 37(a)(5)(A):

3/14/2016	Erin Saltaformaggio	0.1
3/15/2016	Michael J. Bentley	0.2
4/12/2016	Erin Saltaformaggio	1.9
4/12/2016	Erin Saltaformaggio	0.1

4/12/2016	Erin Saltaformaggio	0.5
4/12/2016	Erin Saltaformaggio	0.6
4/12/2016	Michael J. Bentley	0.3
4/13/2016	Erin Saltaformaggio	1.3
4/14/2016	Erin Saltaformaggio	0.1
4/14/2016	Erin Saltaformaggio	1.2
4/14/2016	Michael J. Bentley	0.4
4/14/2016	Michael J. Bentley	0.8
4/18/2016	Michael J. Bentley	0.3
4/20/2016	Michael J. Bentley	0.2

Defendants seek a rate for work performed by Michael J. Bentley, a partner in the law firm of Bradley Arant Boult Cummings, LLP with over eight years of litigation experience in Mississippi state and federal courts, in the amount of \$250.00 an hour. Such rate is hereby found to be reasonable. Defendants seeks a rate for work performed by Erin Saltaformaggio, an associate in the law firm of Bradley Arant Boult Cummings, LLP with over four years of litigation experience in Mississippi state and federal courts, in the amount of \$175.00 an hour. Such rate is also hereby found to be reasonable.

According to the court's calculations, based upon the above approved fees and expenses, the amount owed to Michael J. Bentley for 2.2 hours at a rate of \$250.00 per hour is \$550.00, and the amount owed to Erin Saltaformaggio for 5.8 hours at a rate of \$175.00 is \$1,015.00, which equals a total amount of \$1,565.00 owed to Defendants.

PLAINTIFF IS, THEREFORE, ORDERED to pay Defendants' fees and expenses in the amount detailed above, which were incurred in making the Motion to Compel [22].

SO ORDERED this, the 19th day of May, 2016.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE