

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$1,074,900.00 IN UNITED STATES
CURRENCY,

Defendant,

TARA MISHRA,

Claimant.

8:12CV297

ORDER

This matter is before the court on the claimant's motion for attorney fees, Filing No. 67. The claimant substantially prevailed in a civil proceeding to forfeit property and the United States is accordingly liable for "reasonable attorney fees and other litigation costs reasonably incurred by the claimant." 28 U.S.C. § 2465(b)(1)(A). Accordingly, the court finds the claimant is entitled to recover attorney fees and costs.

Applications for fees are governed by Fed. R. Civ. P. 54(d)(2). Under that rule, the applicant must "state the amount sought or provide a fair estimate of it" and "disclose, if the court so orders, the terms of any agreement about fees for the services for which the claim is made." Fed. R. Civ. P. 54(d)(2)(B)(ii) & (iii). Also, the Local Rules for the District of Nebraska provide that "[a] party applying for attorney's fees and related nontaxable expenses must support the application with appropriate and reliable evidence and authority, including affidavits and any written argument." LR 54.3(b). Guidelines for providing appropriate support in connection with a fee application are set out in Local Rule 54.4, available on the District Court's website. Further, costs other

than attorney fees are governed by Fed. R. Civ. P. 54(d)(1). A bill of costs handbook is also available on the district court's webpage. See NECivR 54.1(a). Accordingly,

IT IS ORDERED that:

1. Claimant Tasha Mishra's motion for attorney fees (Filing No. 67) is granted.

2. Attorney fees will be awarded to the claimant in an amount to be later determined by the court.

3. Claimant's counsel shall provide the court with itemized timesheets or billing records and affidavits as to the reasonableness of hourly rates, and shall disclose any fee agreements, within 14 days of the date of this order.

4. The United States shall file any response or objection thereto within 7 days of the filing of the claimant's submission.

5. The claimant shall file a verified bill of costs in accordance with Local Rule 54.1(b) on or before August 19, 2013.

DATED this 1st day of August, 2013.

BY THE COURT:

s/ Joseph F. Bataillon

United States District Judge