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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RIGHTHAVEN, LLC, a Nevada limited liability company,

Plaintiff,

vs.

WAYNE HOEHN, an individual,

Defendants.

2:11-CV-00050-PMP-RJJ

ORDER

Having read and considered Defendant Hoehn’s fully briefed Motion for Attorney’s Fees and Costs (Doc. #32) filed July 5, 2011, and good cause appearing, the Court finds Defendant’s Motion should be granted.

Specifically, Rule 54(d) of the Federal Rules of Civil Procedure permits the recovery of attorney’s fees and costs to a prevailing party. Additionally, the Court has discretion to award attorney’s fees and costs to Defendant Hoehn as a prevailing party under 17 U.S.C. § 505. In this case, the Court finds that Defendant Hoehn is the prevailing party and the attorney’s fees and costs sought on his behalf are reasonable and supported by Defendant’s Memorandum of Law and the Affidavit of J. Malcolm Devoy, Esq.

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1 **IT IS THEREFORE ORDERED** that Defendant Hoehn's Motion for
2 Attorney's Fees and Costs (Doc. #32) is **GRANTED**, and that Plaintiff Righthaven,
3 shall not later than **September 14, 2011** pay to Defendant Wayne Hoehn the sum of
4 **\$34,045.50** as and for reasonable attorney's fees and costs.

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6 DATED: August 15, 2011.

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PHILIP M. PRO
United States District Judge