

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:09CV224-RJC-DSC

CARL STURDIVANT, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 \_\_\_\_\_ )  
 KONE INC., )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court for determination of the amount of attorneys’ fees that the pro se Plaintiff will be ordered to pay for failure to comply with the Court’s November 18, 2009 Order and properly respond to Defendant’s discovery requests. See “Order” (document #28) (granting Defendant’s “Motion to Compel Production of Documents and for an Order Extending the Time for Completion of Discovery” (document #24) and imposing monetary sanctions with amount to be determined after defense counsel submitted an Affidavit of Defendant’s costs incurred in preparing and prosecuting that Motion).

On January 15, 2010, defense counsel submitted an Affidavit detailing that Defendant incurred \$1,588.50 in attorneys’ fees and expenses as a result of Plaintiff’s noncompliance. See document #31. Taking into account Plaintiff’s pro se status and apparent inability to pay a larger amount, the Court will require Plaintiff to pay \$1,276.00 of Defendant’s attorneys’ fees.

**NOW, THEREFORE, IT IS ORDERED:**

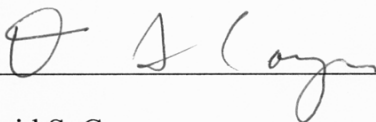
1. On or before February 19, 2010, Plaintiff shall pay directly to Defendant’s counsel (Stephen S. Muhich, Dykema Gossett, PLLC, 300 Ottawa Avenue, N.W., Suite 700, Grand Rapids,

MI 49503-2306) the sum of \$1,276.00.

2. The Clerk is directed to send copies of this Order to the pro se Plaintiff; to counsel for Defendant; and to the Honorable Robert J. Conrad, Jr.

**SO ORDERED.**

Signed: January 19, 2010



David S. Cayer  
United States Magistrate Judge

