

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

LOUISE GRAGERT, Administrator)
of the Estate of George Louis Gragert,)
a/k/a George Gragert,)

Plaintiff,)

vs.)

Case Number CIV-11-984-C

ED LAKE, Director of Oklahoma)
Department of Human Services; and)
JOEL NICO GOMEZ, Director of)
Oklahoma Health Care Authority,)

Defendants.)

MEMORANDUM OPINION AND ORDER

Plaintiff has filed a Motion to Reconsider, requesting the Court to revisit its decision on her request for attorneys’ fees for work on Defendant’s Motion to Reconsider. In support, Plaintiff notes her earlier application, which the Court denied as excessive, erroneously included billing for unrelated time. Plaintiff asserts she has revised her request to include only time spent on Defendant’s Motion to Reconsider and other post-judgment filings. Plaintiff states her request seeks \$6,722.50.

Although the time for response has passed, neither Defendant has responded nor sought additional time to respond. Accordingly, the Court will accept Plaintiff’s well supported factual allegations as true. However, the obligation to award only a reasonable fee remains.

The Court has previously approved the hourly rates sought by Plaintiff and there is no reason to revisit that issue here. Thus, the remaining task is to consider the time records and ensure that the tasks performed are properly considered as compensable and that the time spent was reasonable. After that review, the Court finds Plaintiff shall recover \$3,595.00 in fees. The reduction from the amount sought by Plaintiff is the result of reductions for excessive time spent on certain tasks, unnecessary billing by more than one attorney, and inclusion of time for tasks that are not compensable.

As set forth more fully herein, Plaintiff's Motion to Reconsider (Dkt. No. 129) is GRANTED. Plaintiff is awarded attorneys' fees in the amount of \$3,595.00.

IT IS SO ORDERED this 12th day of November, 2014.


ROBIN J. CAUTHRON
United States District Judge