

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

v.

SOTERO ENCISO-CHAVEZ, et al.,

Defendants.

Civ. No. 6:17-cv-01430-MC

ORDER

MCSHANE, Judge:

Following entry of Default Judgment in its favor, Plaintiff moves for an award of attorney fees and costs. *See* Pl.’s Mot., ECF No. 22. Attorney fees and costs are afforded to the prevailing party of an action brought under 47 U.S.C. § 605. § 605(e)(3)(B)(iii) (allowing a prevailing party to recover “full costs, including . . . reasonable attorneys’ fees”). Plaintiff seeks \$5,450 in attorney fees, Pl.’s Mot. 4, and \$1,096.68 in costs, *id.* at 4–5. Defendants do not oppose Plaintiff’s Motion, and the time to file such objections has passed.

Plaintiff requests \$5,450 in attorney fees, consisting of 4.9 hours of attorney time at an hourly rate of \$350 for attorney Bruce H. Orr’s work and 24.9 hours of paralegal time at an

hourly rate of \$150 for paralegal Antony Nickles's work. Pl.'s Mot. 2. In support of its fee request, Plaintiff submits Mr. Orr's declaration, which contains a chart depicting the services rendered and hours billed as well as a detailed explanation for the hourly rates charged. *See* Orr Decl., ECF No. 23. This Court finds that the attorney fee request is reasonable. *See Gonzalez*, 2018 WL 1515097, at *3 (finding a request in a similar case for 8.2 hours of attorney time at a rate of \$350 per hour and 20.5 hours of paralegal time at a rate of \$150 per hour reasonable).

Plaintiff also requests costs in the amount of \$1,096.68, consisting of a \$400 filing fee, \$130 for service of process costs, \$31.68 for record search services, and \$535 for investigator fees. Pl.'s Bill of Costs 1, ECF No. 24. Although courts are split on whether investigative fees are recoverable, this Court has ruled that "Congress intended 'full costs' to include investigative costs." *J & J Sports Productions, Inc. v. Gonzalez*, No. 1:17-CV-00678-CL, 2018 WL 1515097, at *3 (D. Or. Feb. 14, 2018) (quoting *Kingvision Pay-Per-View Ltd. v. Autar*, 426 F.Supp.2d 59, 67 (E.D.N.Y. 2006)), *adopted by* No. 1:17-CV-00678-CL, 2018 WL 1512998 (D. Or. Mar. 27, 2018). Accordingly, Plaintiff is entitled to costs in the amount of \$1,096.68.

Plaintiff's Motion for Attorney Fees, ECF No. 22, is GRANTED. Defendants are ordered to pay Plaintiff attorney fees in the amount of \$5,450 and costs in the amount of \$1,096.68.

IT IS SO ORDERED.

DATED this 12th day of December, 2018.

s/Michael J. McShane

Michael J. McShane
United States District Judge