

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

GENE STUART HAGOOD,	§	
DOUGLAS ALFRED HAAAS,	§	
HA HA MEXICO, S. de R.L. de C.V.	§	
and GMH INVESTMENTS, L.L.C.	§	
	§	
VS.	§	CIVIL ACTION NO. G-11-139
	§	
LEE DONN,	§	
PREMIER PARTNERS MEXICO, INC.,	§	
S.A de C.V.	§	
and GLORIA ADRIANA CISNEROS	§	
BALDENEGRO	§	

OPINION AND ORDER

Before the Court is “Plaintiffs’ Motion for Attorneys’ Fees, Costs and Expenses Regarding Order Granting Partial Summary Judgment” filed by Plaintiffs on October 3, 2011. On October 19, 2011, counsel of record for Defendants, Lee Donn, Premier Partners Mexico, Inc., S.A. de C.V. and Gloria Adriana Cisneros Baldenegro, filed a declaration in response to the Motion avering that he cannot communicate with his clients, requesting an unspecified extension of time to respond to the Motion, and reurging the Motion to Withdraw as Counsel for Defendants. On October 21, 2011, this Court granted the Motion to Withdraw and permitted A. Eli Galam and Peggy Bittick to withdraw as counsel of record for the Defendants.

Having now reviewed Plaintiffs' Motion and having considered the declaration of Randy E. Moore, Plaintiffs' lead counsel, in support of Plaintiffs' Motion for attorneys' fees, the Court finds that Moore's hourly rate of \$375.00 is a reasonable and customary rate; that the number of hours claimed by Moore is reasonable under the circumstances of this case; and that the relevant factors articulated in Johnson v. Georgia Highway Expressway, Inc., 488 F.2d 714, 717-19 (5th Cir. 1974), do not require any adjustment of the "lodestar."

It is, therefore, **ORDERED** that the Defendants' request for an extension is **DENIED**; that "Motion for Attorneys' Fees, Costs and Expenses Regarding Order Granting Partial Summary Judgment" (Instrument no. 43) is **GRANTED**; and that Plaintiffs are **AWARDED** attorneys' fees in the amount of \$37,000.00 and costs and expenses in the amount of \$613.63.

DONE at Galveston, Texas, this 25th day of October, 2011.



John R. Froeschner
United States Magistrate Judge