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7 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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9 BOUALEM HABIB,

10 Plaintiff,

11 v.

12 TOTE SERVICES, INC.,

13 Defendant.

Case No. C14-1685RSL

ORDER AWARDING FEES

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15 This matter initially came before the Court on “Defendant Tote Services, Inc.’s Motion  
16 for Sanctions.” Dkt. # 29. Pursuant to this Court’s order awarding fees and costs incurred in  
17 filing that motion as a discovery sanction, Dkt. # 77, defendant submitted a declaration setting  
18 forth the expenses incurred in making its motion for sanctions, Dkt. # 78. Plaintiff did not  
19 respond. Having reviewed defendant’s submissions and the remainder of the record, the Court  
20 finds as follows.

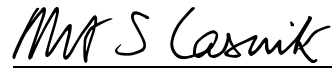
21 Defendant seeks attorney’s fees in the amount of \$16,158 (9.60 hours at a rate of \$355 per  
22 hour, plus 50 hours at a rate of \$255 per hour). Dkt. # 78, ¶¶ 5, 7, 8, 9, 10. Though plaintiff has  
23 not objected to this request, the fee applicant bears the burden of demonstrating the  
24 reasonableness of the fees requested. The Court acknowledges that litigating this motion for  
25 sanctions was complicated by the number of filings and volume of supporting documentation  
26 produced by plaintiff in opposition. Still, the Court concludes that defendant has not  
27 demonstrated the reasonableness of spending nearly 60 hours on this discovery dispute. See

28 ORDER AWARDING FEES - 1

1 Aecon Bldgs., Inc. v. Zurich North America, No. C07-832MJP, 2008 WL 4443285, at \*1 (W.D.  
2 Wash. Sept. 25, 2008) (noting that 19.3 hours was a reasonable amount of time to spend on a  
3 complex motion for sanctions). The Court will award fees for 4.8 hours and 25 hours of work by  
4 the two attorneys, respectively.

5 Plaintiff shall, within 90 days of the date of this order, reimburse defendant for fees in the  
6 amount of \$8,079. The Clerk of Court is directed to enter an amended judgment reflecting this  
7 award of fees as a discovery sanction.

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10 SO ORDERED this 2nd day of February, 2017.

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14 Robert S. Lasnik  
15 United States District Judge  
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