

The Honorable Robert Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HASSAN HIRSI, an individual,
Plaintiff,

v.

THE HERTZ CORPORATION, a Delaware
corporation, HERTZ TRANSPORTING, INC, a
Delaware corporation, FIREFLY RENT A CAR
LLC, a Delaware company and DTG
OPERATIONS, INC., an Oklahoma
corporation,
Defendants.

Case No. 2:16-cv-00333 RSL

**ORDER GRANTING PLAINTIFF’S
MOTION FOR ATTORNEY’S FEES,
COSTS AND CLASS
REPRESENTATIVE’S INCENTIVE
AWARD**

WHEREAS, Plaintiff has submitted authority and evidence supporting Plaintiff’s Motion for Attorney’s Fees, Costs and Class Representative’s Incentive Award; and

WHEREAS, the Court, having considered the pleadings on file and being fully advised, finds that good cause exists for entry of the Order below; now, therefore,

IT IS HEREBY FOUND, ORDERED, ADJUDGED, AND DECREED THAT:

1. Unless otherwise provided herein, all capitalized terms in this Order shall have the same meaning as set forth in the Plaintiff’s Motion for Attorney’s Fees, Costs and Class Representative Incentive Award.

2. The Court having appointed Badgley Mullins Turner, PLLC and the Law Offices of Daniel Whitmore as Class Counsel.

3. Class Counsel has requested the Court award \$96,074.20, an amount equal to

**ORDER GRANTING PLAINTIFF’S MOTION FOR
ATTORNEY’S FEES, COSTS AND CLASS
REPRESENTATIVE’S INCENTIVE AWARD - 1**
2:16-cv-00333 RSL

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1 Defendants The Hertz Corporation, Hertz Transporting, Inc., Firefly Rent-A-Car, LLC, and DTG
2 Operations, Inc. (collectively, “Hertz” or “Defendants”)’s contribution towards Class Counsel’s
3 attorney’s fees.

4 4. These requested attorney’s fees are fair and reasonable under RCW 49.48.030 and
5 the Ordinance (“SeaTac Municipal Code Chapter 7.45”). The Court reaches this conclusion after
6 analyzing: (1) the results Class Counsel achieved; (2) Class Counsels’ risk in this litigation; (3)
7 the complexity of the issues presented; (4) the hours Class Counsel worked on the case; (5) Class
8 Counsels’ hourly rate; (6) the contingent nature of the fee; and (7) awards made in similar cases.

9 5. Class Counsel has submitted authority and declarations to support the Court’s
10 lodestar cross-check.

11 6. Class Counsel reasonably expended more than 259.36 hours on the investigation,
12 preparation, filing, and settlement of Plaintiff’s claims. Their detailed time records are based on
13 contemporaneous records of hours worked. Class Counsel exercised billing judgment and billed
14 efficiently.

15 7. Class Counsels’ hourly rates - \$565.00 for Duncan Turner, \$495.00 for Daniel
16 Whitmore, and \$310.00 for Mark Trivett – are reasonable hourly rates considering their
17 individual “experience, skill, and reputation,” *see Trevino v. Gates*, 99 F.3d 911, 924 (9th Cir.
18 1996) and the prevailing market rates in this jurisdiction. *See Blum v. Stenson*, 465 U.S. 886, 895
19 (1984).

20 8. Applying these rates to the number of hours reasonable expended in litigation,
21 Class Counsels’ lodestar is approximately \$97,718.96. This lodestar reflects work and expenses
22 that were reasonable and necessarily expended on the pursuing Plaintiff’s claim and that are
23 estimated to occur in concluding the case.
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1 PRESENTED BY:

2 BADGLEY MULLINS TURNER PLLC

3 /s/ Duncan C. Turner

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19 **Attorneys for Plaintiff and Class**