

THE HONORABLE MARSHA J. PECHMAN

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELTON MASON, an individual, dba
WASHINGTON STATE TRUCKING, a
sole proprietorship,

Plaintiffs,

vs.

SEATTLE TUNNEL PARTNERS, a Joint
Venture, Dragados, USA, and Tutor Perini
Corporation,

Defendants.

Case No. 2:17-cv-00186-MJP

**ORDER GRANTING
DEFENDANTS' MOTION FOR
AWARD OF FEES AND COSTS**

**NOTED FOR HEARING:
DECEMBER 7, 2018**

**ORDER GRANTING DEFENDANTS'
MOTION FOR AWARD OF FEES AND COSTS**
Case No. 2:17-cv-00186-MJP

LAW OFFICES
CALFO EAKES & OSTROVSKY PLLC
1301 SECOND AVENUE, SUITE 2800
SEATTLE, WASHINGTON 98101-3808
TEL, (206) 407-2200 FAX, (206) 407-2224

ORDER

The Court has now considered the following materials regarding Defendants Seattle Tunnel Partners, a Joint Venture, Dragados USA, Inc., and Tutor Perini Corporation's ("the STP Defendants") Motion for Award of Fees and Costs:

- The STP Defendants' Motion for Award of Fees and Costs, as well as the supporting declaration and all attached exhibits;
- Plaintiff's opposition to the motion, if any, as well as any supporting declaration and attached exhibits;
- The STP Defendants' Reply Brief, if any, including any supporting declaration and attached exhibits; and
- All other pleadings and orders on file in this case.

Having thoroughly reviewed these materials and considered the arguments of both parties, the Court is now prepared to rule as follows: IT IS HEREBY ORDERED that the STP Defendants' Motion is GRANTED.

Pursuant to FRCP 37(a)(5), the Court previously awarded the STP Defendants their reasonable costs and fees incurred during the meet and confer. *See* Dkt. Nos. 95, 98. The Court directed the STP Defendants to file a motion for an award of reasonable fees and costs. Dkt. No. 98.

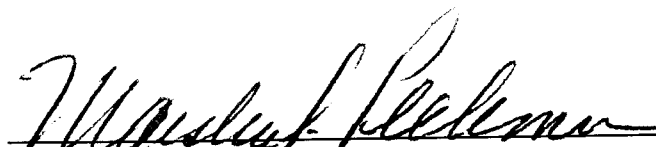
The STP Defendants have requested \$2,700 in legal fees for only their time expended during the meet and confer, and they have supported their request with billing records and a declaration from their lead counsel. Having reviewed the relevant materials, the Court expressly finds that the hourly rates charged by the STP Defendants' counsel and the hours expended by counsel are both reasonable and support an award of the requested fees.

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1 Accordingly, IT IS HEREBY ORDERED that, within 14 days of the date of this Order,
2 Plaintiff shall pay to the STP Defendants the amount of \$2,700 in connection with their fee award.

3 DATED this 6th day of ~~November~~ ^{December}, 2018.

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7 THE HONORABLE MARSHA J. PECHMAN
8 UNITED STATES DISTRICT COURT JUDGE
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10 Presented by:

11 **CALFO EAKES & OSTROVSKY PLLC**

12 By s/ Patricia A. Eakes
13 Patricia A. Eakes, WSBA# 18888

14 By s/ Nathan Bays
15 Nathan Bays, WSBA #43025

16 By s/ Lindsey Mundt
17 Lindsey Mundt, WSBA #49394

18 1301 Second Avenue, Suite 2800

19 Seattle, WA 98101

20 Phone: (206) 407-2200

21 Fax: (206) 407-2224

22 Email: pattye@calfoeakes.com

nathanb@calfoeakes.com

lindseym@calfoeakes.com

23 *Attorneys for Defendants, Seattle Tunnel Partners, a Joint*
24 *Venture, Dragados USA and Tutor Perini Corporation*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 19, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants.

DATED this 19th day of November, 2018.

s/George Barrington

George Barrington
Legal Assistant