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6	UNITED STATES DISTRICT COURT
7	WESTERN DISTRICT OF WASHINGTON AT SEATTLE
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9	ABDULKADIR OMAR,) Case No. C11-1181RSL
10	Plaintiff,)
11	v.) ORDER GRANTING DEFAULT AMERICAN PATRIOT SECURITY,) JUDGMENT
12	AMERICAN PATRIOT SECURITY,) JUDGMENT & INVESTIGATION, INC., et al.,
13	Defendants.
14	/
15	This matter comes before the Court on plaintiff's "Motion for Default Judgment of
16	Defendants American Patriot Security & Investigation, Inc. and Nichole Smith." Dkt. # 72. The
17	defendants did not oppose the motion. Having reviewed the motion and the supporting
18	materials, the Court finds as follows:
19	The default entered in the above-captioned matter has established the well-pleaded
20	allegations of the complaint pertaining to liability. Judgment in favor of plaintiff and against
21	defendants is therefore appropriate. Plaintiff requested and provided evidence for an award
22	in the following amounts:
23	Principal Judgment Amount: \$13,806.00
24	Additional Judgment against APSI \$1,128.00
25	Costs: \$577.33
26	Plaintiff's request for \$51,771.50 in attorney's fees is unreasonable, however.
	ORDER GRANTING DEFAULT JUDGMENT

1	After reviewing the evidence related to counsel's fee petition and considering the
2	factors in Seymour v. Hull & Moreland Eng'g, 605 F.2d 1105, 1117 (9th Cir. 1979), the Court
3	finds that while the plaintiff's counsel's hourly rate is reasonable, the number of hours billed is
4	not. In determining a reasonable attorney's fee, the Court first calculates the lodestar by
5	multiplying the number of hours the prevailing party reasonably expended on the litigation by a
6	reasonable hourly rate. Rouse v. Law Offices of Rory Clark, 603 F.3d 699, 704 (9th Cir.2010).
7	It is the fee claimant's burden to demonstrate that the number of hours spent was "reasonably
8	necessary" to the litigation and that counsel made "a good faith effort to exclude from [the] fee
9	request hours that are excessive, redundant, or otherwise unnecessary[.]" Hensley v. Eckerhart,
10	461 U.S. 424, 434 (1983). Plaintiff submitted a "Second Motion to Enforce Court's Order"
11	(Dkt. #66) requesting default judgment after the Court already entered default against Ms.
12	Smith. Dkt. #71. The motion was redundant, and failed to include evidence as to the amount of
13	damages or show how the factual allegations of the complaint establish each of the causes of
14	action. Dkt. #71. Plaintiff's counsel billed \$980.00 for preparing the motion. Dkt. #73, Ex. 6,
15	at 14. Accordingly, the Court finds that an award of fees in the amount of \$50,791.50, while still
16	high, is reasonable.
17	For all of the foregoing reasons, plaintiffs' motion for default judgment (Dkt. #71)
18	is GRANTED in part. The Clerk of Court shall enter judgment in favor of plaintiff and against
19	defendants as described above.

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Dated this 26th day of September, 2013.

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MMS (asuk)
Robert S. Lasnik
United States District Judge

General Information

Docket Number 2:11-cv-01181

Status Closed

Court United States District Court for the Western District of

Washington

Nature of Suit Civil Rights: Employment

Date Filed 2011-07-15 00:00:00