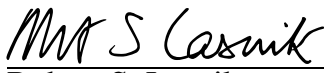


1 After reviewing the evidence related to counsel's fee petition and considering the
2 factors in Seymour v. Hull & Moreland Eng'g, 605 F.2d 1105, 1117 (9th Cir. 1979), the Court
3 finds that while the plaintiff's counsel's hourly rate is reasonable, the number of hours billed is
4 not. In determining 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.

20
21 Dated this 26th day of September, 2013.

22 
23 Robert S. Lasnik
24 United States District Judge
25
26

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