

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

DORIS ANNE McCLAIN)
)
 Plaintiff,)
)
 vs.) No. 02-2336DV
)
 SHELBY COUNTY, OFFICER BROWN,)
 and OFFICER JONES)
)
 Defendants.)

ORDER AWARDING ATTORNEY FEES AND EXPENSES TO DEFENDANT
FOR AMOUNTS INCURRED IN PREPARING FOR DEPOSITION AND PREPARING
AND FILING THE MOTION FOR DISCOVERY SANCTIONS.

Before the court is the Affidavit of Fred E. Jones, counsel for the defendant, Shelby County, filed July 31, 2003, in compliance with the court's July 24, 2003 order directing plaintiff to appear for deposition and awarding attorney fees and expenses.

The affidavit sets forth that two hours and four-tenths were spent by the defendant's attorney preparing for the deposition and preparing the motion for discovery sanctions at an hourly rate of \$175.00 for a total amount of \$420.00. Further, expenses of \$130.00 were incurred for the court reporter's attendance at the aborted deposition. The total amount for attorney fees and expenses is \$550.00. The court finds the services rendered and the total attorney fees and expenses to be reasonable.

IT IS THEREFORE ORDERED, pursuant to Federal Rule of Civil Procedure 37(a)(4)(A), that the plaintiff, Doris Anne McClain, pay the defendant the total sum of \$550.00, within thirty days of the date of this order, for expenses and attorney fees incurred in preparing the motion for discovery sanctions and preparing for the deposition for the reasons stated in the court's order of July 24, 2003.

IT IS SO ORDERED this 3rd day of September, 2003.

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE