

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

THERMAL DESIGN, INC. and
SPORTS INTERIORS, INC.,

Plaintiffs,

v.

ORDER

03-C-249-C

INDOOR COURTS OF AMERICA, INC.,
THE CINCINNATI INSURANCE
COMPANY and DEF INSURANCE
COMPANY,

Defendants.

On February 13, 2004, this court denied plaintiffs' motion to compel and shifted costs in defendants' favor pursuant to Rule 37(a)(4)(b). *See* Dkt. 127 at 7. Defendant filed an itemized list of costs claiming \$1,277.50, representing 7.3 hours of attorney work at \$175 per hour. Plaintiffs have objected, claiming, with slightly more detail, that defendant's attorney spent too much time on the various tasks needed to respond.

There is a range of time and hourly rates that would be "reasonable" under the operative rule: some attorneys reasonably might have spent ten hours on this motion, others reasonably might have spent two. Attorneys have quoted hourly rates from a low of \$75.00/hr. to \$400.00/hr.; \$175.00 per hour is imminently reasonable under the circumstances, and 7.3 hours is within the range acceptable to the court under the rule.

Accordingly, it is ORDERED that plaintiffs and their attorneys are jointly and severally liable to pay \$1,277.50 to defendant's attorney not later than March 31, 2004.

Entered this 1st day of March, 2004.

BY THE COURT:

STEPHEN L. CROCKER
Magistrate Judge