

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WINERIES OF THE OLD MISSION PENINSULA)	
ASSOCIATION, <i>et al.</i> ,)	
Plaintiffs,)	
)	No. 1:20-cv-1008
-v-)	
)	Honorable Paul L. Maloney
PENINSULA TOWNSHIP,)	
Defendant,)	
)	
and)	
)	
PROTECT THE PENINSULA, INC.,)	
Intervenor-Defendant.)	
_____)	

ORDER ON ATTORNEY FEES

This matter comes before the Court on the Wineries’ second petition for reimbursement of attorney fees. (ECF No. 437). The Court’s prior order granted in part Wineries’ motion to show cause for sanctions. (ECF Nos. 421, 429). The Wineries submitted their fees and lodestar calculations (ECF No. 438), and the Township responded (ECF No. 451). The Wineries seek \$13,373.20 in attorney fees.

The Township did not challenge the fee calculation except for some billing entries of Mr. Kaltenbach. (ECF No. 451 at PID 15956). The ten billing entries, which total one hour of work, state the following:

Receive and review correspondence from counsel for Township regarding rule to show cause, **further revise draft settlement documents to be submitted to opposing parties**, receive and review Township reply to motion for rule to show cause, **further drafting and legal research in support of motion for summary judgment against PTP regarding its affirmative defenses.**

(ECF No. 438-1 at PID 15523-24) (emphasis added). The entries add up to one hour of work for a fee of \$380. *Id.* Mr. Kaltenbach's work for this billing entry is beyond the scope of the Wineries' fee request because he was working on the Wineries' settlement documents and the Wineries' motion for summary judgment. The Court's prior order involved fees regarding a failure to compel an insurance policy. (ECF No. 429). Therefore, the Court will remove these entries from the overall calculation. \$13,373.20 less \$380.00 is \$12,993.20.

Accordingly,

IT IS HEREBY ORDERED that Wineries' second petition for fees (ECF No. 437) is **GRANTED** in part.

IT IS FURTHER ORDERED that Peninsula Township shall pay the Plaintiffs \$12,993.20.

IT IS SO ORDERED.

Date: November 9, 2023

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge