

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**ASSESSMENT TECHNOLOGIES  
INSTITUTE, L.L.C.,**

**Plaintiff,**

**v.**

**AMERICAN ALLIED HEALTHCARE LLC  
d/b/a AMERICAN ALLIED HEALTHCARE  
ASSOCIATION and QUINTIN D. MORGAN,**

**Defendants.**

**CIVIL ACTION**

**No. 11-2307-KHV**

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff's Motion For Attorney Fees, Expenses And Costs (Doc. #32) filed May 29, 2012. On May 11, 2012, the Court granted plaintiff's motion for damages for infringing plaintiff's registered copyrights and enjoined defendants from further infringement. Memorandum And Order (Doc. #31). The Court also found defendants liable for plaintiff's reasonable attorney fees and ordered plaintiff to file a motion for attorney fees in compliance with Rule 54(d)(2) of the Federal Rules of Civil Procedure and D. Kan. Rule 54.2. After plaintiff filed its motion for attorney fees, the Court directed plaintiff to submit a copy of contemporaneously prepared time records for work performed by its counsel, Stinson Morrison Hecker LLP. On September 6, 2012, plaintiff submitted detailed time records and billing statements. Plaintiff seeks \$30,578.00 in attorney fees for the following.

Mark M. Iba, a partner with 18 years experience: 13.8 hours at \$356 per hour for drafting and editing pleadings and motions, reviewing and responding to defendants' motions and communicating with the client.

Timothy J. Feathers, an intellectual property attorney with 25 years of experience: 5 hours

at \$380 per hour for litigation strategy and reviewing motions, briefs and responses.

James Cronin, an intellectual property associate with over 5 years of experience: 83.4 hours at \$262 per hour for drafting pleadings and motions, researching legal issues, investigating facts and communicating with the client.

Suzanne C. Williams, a paralegal with at least 24 years of experience: 1.2 hours at \$195 per hour for research.

Lisa D. Parks, a paralegal with approximately 20 years of experience: 8.8 hours at \$165 per hour to prepare documents and managing the case file.

John E. Benson, a technology specialist with approximately 5 years of experience: 1.3 hours at \$160 per hour to download and preserve the content of defendants' website.

The essential inquiry in setting attorney fees is reasonableness. Pelican Prod. Corp. v. Marino, 893 F.2d 1143, 1148 (10th Cir. 1990) (citing Cooper v. Singer, 719 F.2d 1496, 1499 (10th Cir. 1983)). The Court has reviewed plaintiff's time records and the other supporting documentation and finds that the rates and time billed are reasonable. Based on these submissions the Court finds that plaintiff is entitled to \$30,578.00 in attorney fees.

Plaintiff also seeks non-taxable expenses of \$327.46 in computer legal research expense and \$187.53 for postage. See Sorbo v. UPS, 432 F.3d 1169, 1180 n.10 (10th Cir. 2005) (computer research charges recoverable as part of attorney fees but not as costs); Cadena v. Pacesetter Corp. No. 97-2659-KHV, 1999 WL 450891, at \*7 (D. Kan. Apr. 27, 1999) (postage and Federal Express charges recoverable as part of attorney fees). The Court finds that these expenses are reasonable. Plaintiff is entitled to \$514.99 in expenses as part of its attorney fees.

**IT IS THEREFORE ORDERED** that plaintiff's Motion For Attorney Fees, Expenses And Costs (Doc. #32) filed May 29, 2012, be and hereby is **SUSTAINED**.

**IT IS FURTHER ORDERED** that defendants shall pay plaintiff **\$31,092.99** in attorney fees.

Dated this 30th day of November, 2012 at Kansas City, Kansas.

s/Kathryn H. Vratil  
Kathryn H. Vratil  
United States District Judge