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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Ocean Network Express PTE Limited,

10 Plaintiff,

11 v.

12 By Rodocker LLC, et al.,

13 Defendants.
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No. CV-24-01470-PHX-KML

ORDER

15 The court previously entered default judgment in favor of plaintiff Ocean Network
16 Express PTE Limited. (Doc. 14.) Ocean Network now seeks an award of attorneys' fees.
17 (Doc. 15.) Attorneys' fees may be awarded in a maritime breach of contract case when
18 there is an "enforceable contractual fees provision." *Golden Pisces, Inc. v. Fred Wahl*
19 *Marine Const., Inc.*, 495 F.3d 1078, 1081 (9th Cir. 2007). The contract in this case states
20 defendant By Rodocker LLC is "liable [to Ocean Network] for the payment of all . . .
21 expenses including but not limited to court costs, legal fees and expenses incurred in
22 collecting monies due to [Ocean Network]." (Doc. 12 at 17.) That is sufficient to authorize
23 an award of attorneys' fees. And having obtained default judgment, Ocean Network is
24 entitled to an award of fees.

25 In seeking fees, Ocean Network cites Arizona law. (Doc. 15 at 3.) But the parties'
26 contract states it is "governed by U.S. law." (Doc. 12 at 27.) Arizona law therefore does
27 not apply. To prevent the need for additional filings, the court will analyze Ocean
28 Network's request under the applicable law.

1 Federal courts often use the “lodestar” approach when determining the appropriate
 2 amount of attorneys’ fees under federal law, including maritime cases. *See, e.g., Natco Ltd.*
 3 *P’ship v. Moran Towing of Fla., Inc.*, 267 F.3d 1190, 1196 (11th Cir. 2001); *Supreme Rice,*
 4 *L.L.C. v. Turn Servs., L.L.C.*, 567 F. Supp. 3d 742, 748 (E.D. La. 2021). The court follows
 5 that approach here. The lodestar is calculated by “multiplying the number of hours
 6 reasonably expended on a case by a reasonable hourly rate.” *Kelly v. Wengler*, 822 F.3d
 7 1085, 1099 (9th Cir. 2016). “[A] ‘reasonable’ number of hours equals [t]he number of
 8 hours . . . [which] could reasonably have been billed to a private client.” *Gonzalez v. City*
 9 *of Maywood*, 729 F.3d 1196, 1202 (9th Cir. 2013). And the reasonable hourly rate is based
 10 on the “prevailing market rates in the relevant community.” *Id.* at 1205. Having calculated
 11 the lodestar figure, a court may increase or decrease the award based on a variety of factors,
 12 provided the court does not adjust the lodestar based on any factors that were already
 13 “subsumed” in the lodestar figure. *Morales v. City of San Rafael*, 96 F.3d 359, 364 n.9 (9th
 14 Cir. 1997).

15 Ocean Network’s counsel filed an affidavit stating his hourly rate is \$275.00 and he
 16 spent 2.9 hours on this litigation. (Doc. 15-1 at 1.) Two paralegals also worked on this case;
 17 one paralegal’s hourly rate is \$75.00 and the other’s is \$100.00. (Doc. 15-1 at 2.) Those
 18 paralegals spent a total of 6.50 hours on this case. Counsel and the paralegals altogether
 19 spent 9.4 hours and based on their hourly rates the total amount sought is \$1,432.50.

20 The hourly rates for counsel and the paralegals are below the rates found reasonable
 21 in other cases. *Coe v. Red Voice Media Inc.*, No. CV-24-03572-PHX-SPL, 2025 WL
 22 918334, at *5 (D. Ariz. Mar. 26, 2025) (citing cases supporting hourly rates for partners
 23 between \$300 and \$745 and paralegal from \$105 to \$240). The requested rates are
 24 reasonable. It was also reasonable to expend 9.4 hours to file the complaint, apply for entry
 25 of default, move for default judgment, and move for attorneys’ fees. The total number of
 26 hours requested in this case is significantly smaller than awards in other default judgment
 27 actions. *See Liberty Mutual Ins. Co. v. RB Pamplin Corp.*, No. 3:24-CV-01598-AR, 2025
 28 WL 1071652, at *7 (D. Or. Feb. 18, 2025), *report and recommendation adopted*, 2025 WL

1 1070359 (D. Or. Apr. 7, 2025) (citing cases allowing between 40.1 and 94.3 hours for
2 obtaining default judgment.). Even though this was a very straightforward case, expending
3 9.4 hours was reasonable.

4 The lodestar figure of \$1,432.50 is reasonable. Ocean Network does not seek any
5 adjustment of the lodestar figure and there is no factual basis under any of the non-
6 subsumed factors to adjust the lodestar.

7 Accordingly,

8 **IT IS ORDERED** the Motion for Attorneys' Fees (Doc. 15) is **GRANTED**. Ocean
9 Network is awarded a total of \$1,432.50 in attorneys' fees.

10 Dated this 22nd day of April, 2025.

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14 **Honorable Krissa M. Lanham**
15 **United States District Judge**
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