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Attorneys for Plaintiffs

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA  
15 WESTERN DIVISION

16 COLUMBIA PICTURES INDUSTRIES,  
17 INC.; AMAZON CONTENT  
18 SERVICES, LLC; DISNEY  
19 ENTERPRISES, INC.; PARAMOUNT  
20 PICTURES CORPORATION;  
21 WARNER BROS. ENTERTAINMENT  
22 INC.; UNIVERSAL CITY STUDIOS  
23 PRODUCTIONS LLLP; UNIVERSAL  
24 TELEVISION LLC; and UNIVERSAL  
25 CONTENT PRODUCTIONS LLC,

Plaintiffs,

v.

24 ALEJANDRO GALINDO, RICHARD  
25 HORSTEN (a/k/a RIK DE GROOT),  
26 ANNA GALINDO, MARTHA  
27 GALINDO, OSVALDO GALINDO,  
28 RAUL ORELLANA, FIRESTREAM  
LLC, and DOES 8-10,

Defendants.

Case No. 2:20-cv-03129-SVW-GJSx

**PLAINTIFFS' APPLICATION FOR  
ATTORNEYS' FEES AND COSTS IN  
CONNECTION WITH THEIR  
MOTION FOR SANCTIONS  
AGAINST DEFENDANT  
ALEJANDRO GALINDO [DKT. 164]**

Trial Date: None Set

[Declaration of Julie A. Shepard  
submitted concurrently herewith]

1 In response to the Court’s instructions at the July 7, 2021 hearing on Plaintiffs’  
2 Motion for Sanctions (Dkt. 164, the “Motion”), Plaintiffs submit this Application  
3 for Attorneys’ Fees and Costs and the accompanying declaration of Julie A. Shepard  
4 (“Shepard Declaration”).

5 **I. PLAINTIFFS INCURRED REASONABLE ATTORNEYS’ FEES AND**  
6 **COSTS IN CONNECTION WITH THE MOTION.**

7 As set forth in the Motion and the Declaration of Julie A. Shepard in support  
8 of the Motion, Defendant has failed to abide by his discovery obligations, spoliated  
9 evidence, and violated this Court’s order that he produce documents and provide  
10 information to Plaintiffs in a court-ordered deposition. *See* Dkts. 164, 164-1. At the  
11 same time, Defendant has answered Plaintiffs’ Second Amended Complaint,  
12 claiming his infringement of Plaintiffs’ copyrights was “innocent” and contesting  
13 that he infringed the works alleged in the SAC. Dkt. 126.

14 To redress the substantial prejudice to Plaintiffs resulting from Defendant’s  
15 gamesmanship, Plaintiffs had to file their Motion. Further, because Defendant  
16 opposed the Motion, Plaintiffs had to prepare a reply brief. To secure the relief they  
17 requested, Plaintiffs also had to submit detailed proposed findings of fact and  
18 conclusions of law (“FFCL”) for this Court’s consideration.

19 But for Defendant’s misconduct, Plaintiffs would not have been forced to  
20 incur the attorneys’ fees and costs in bringing the Motion. Shepard Decl. ¶ 2; *see*  
21 *also* Dkts. 164, 164-1. The reasonable attorneys’ fees and costs incurred in  
22 connection with the Motion exceed \$93,000. Shepard Decl. ¶¶ 5-17, 23, 25. A  
23 breakdown of the hours expended by each attorney as it relates to each component  
24 of the Motion that the attorney worked on (*e.g.*, Motion, reply brief, FFCL) is set  
25 forth in the accompanying Shepard Declaration.<sup>1</sup> *Id.*

26  
27 <sup>1</sup> It is Plaintiffs’ understanding that the Court does not require redacted copies of  
28 bills to be submitted with Plaintiffs’ request for fees; rather, Plaintiffs’ fee request  
may be supported by way of declaration. Shepard Decl. ¶ 18; *see, e.g., Kennedy v.*

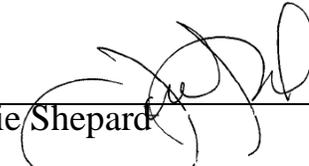
1 **II. CONCLUSION AND RELIEF REQUESTED**

2 For the reasons stated above, and as supported by the Shepard Declaration  
3 submitted concurrently herewith and the underlying Motion, Plaintiffs respectfully  
4 request that that the Court award Plaintiffs their attorneys’ fees and costs in the  
5 amount of \$93,000.

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7 Dated: July 16, 2021

JENNER & BLOCK LLP

8  
9 By:

  
Julie Shepard  
Attorneys for Plaintiffs

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23 *Serv. Emps. Int’l Union, Local 99*, 2016 WL 5921068, at \*1 (C.D. Cal. Feb. 23,  
24 2016) (granting motion for attorneys’ fees and costs where, “[a]s demonstrated by  
25 the declarations in support of the motion, Plaintiffs’ attorneys ha[d] reasonably  
26 expended enough time and expenses . . . to be awarded \$85,000 in attorneys’ fees  
27 and costs at the requested hourly rates”); *ColfaxNet, LLC v. City of Colfax*, 2020 WL  
28 4818895, at \*6 (E.D. Cal. Aug. 19, 2020) (ordering prevailing party in the discovery  
dispute to file “a declaration with the court regarding the requested fees”); *Honor  
Plastic Ind. Co. Ltd. v. Lollicup USA, Inc.*, 2006 WL 3097878, at \*2 (E.D. Cal. Oct.  
31, 2006) (granting plaintiffs’ motion for attorneys’ fees and costs pursuant to Rule  
37 and ordering plaintiff to “submit a declaration evidencing these attorneys’ fees  
and costs”). If the Court would like to be provided with redacted copies of Jenner  
& Block’s invoices to Plaintiffs, they will be prepared and provided.