

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

SAMUEL K. LIPARI,)	
)	
)	Plaintiff,
)	
vs.)	Case No. 07-CV-02146-CM-DJW
)	
U.S. BANCORP, and)	
)	
U.S. BANK NATIONAL ASSOCIATION,)	
)	
Defendants.)	

MOTION IN SUPPORT OF AFFIDAVIT OF ATTORNEY FEES

Defendants, by and through their attorneys file this Motion in Support of Affidavit of Attorney Fees. In support of this Motion, Defendants state as follows:

1. On August 18, 2008, the Court ordered the plaintiff to pay a part of defendants attorney fees associated with Defendants’ Motion to Compel Compliance with Rule 26(a)(1). *See*, Doc. No. 115. The Court ordered defendants to file an affidavit of costs and fees no later than August 27, 2008. *Id.*

2. Pursuant to the Court’s Order, the defendants have filed an Affidavit of Attorney Fees (Doc. No. 127) showing they incurred attorney fees in the amount of \$1,395.00 for researching, drafting and filing the Motion to Compel and Memorandum in Support.

3. While it is the Court’s discretion to award the full \$1,395.00, the defendants respectfully suggest the Court award \$700.00 for fees incurred.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was filed electronically with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 27th day of August, 2008, to:

Mr. Samuel K. Lipari
297 NE Bayview
Lee's Summit, MO 64064

/s/ Jay E. Heidrick
Attorney for Defendants