

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

FAIRCHILD SEMICONDUCTOR CORPORATION,)	
)	
)	
Plaintiff)	
)	
v.)	Civil No. 08-158-P-H
)	
THIRD DIMENSION (3D) SEMICONDUCTOR, INC.,)	
)	
Defendant)	

ORDER ON PLAINTIFF’S MOTION FOR ATTORNEY FEES AND COSTS

By order dated October 19, 2008 (Docket No. 84), I granted the plaintiff’s renewed motion to compel the continued deposition of Samuel Anderson and for sanctions (Docket No. 77), ordering the defendant, *inter alia*, to “pay the plaintiff’s reasonable costs and attorney fees incurred in bringing its successful motion to compel[.]” Docket No. 84.

I afforded the plaintiff 15 days within which to submit a statement of costs and attorney fees, and the defendant 15 days following that filing within which to respond and show cause why those amounts should not be awarded. *See id.* The plaintiff duly filed its statement of costs and fees in the total amount of \$5,637.50, *see* Docket No. 89, to which the defendant tendered no response within the allotted time. *See generally* Docket. The Clerk’s Office affirms that the defendant has communicated that it does not object to the fees and costs charged.

To the extent that the court may have any independent duty in these circumstances to assess the reasonableness of those fees and costs, I, too, deem them reasonable. While the plaintiff seeks to

recoup fees for drafting an initial motion to compel that I later ordered stricken, *see* Docket Nos. 66, 76, its successful renewed motion to compel incorporated the work performed in connection with the initial motion.

Accordingly, the plaintiff's motion for attorney fees and costs (Docket No. 89) is **GRANTED** without objection.

SO ORDERED.

Dated this 25th day of November, 2008.

/s/ John H. Rich III
John H. Rich III
United States Magistrate Judge

Consol Plaintiff

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V.

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Counter Claimant

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