

Not Reported in F.Supp.2d, 2009 WL 761153 (S.D.Ind.)  
(Cite as: **2009 WL 761153 (S.D.Ind.)**)

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Only the Westlaw citation is currently available.

United States District Court,  
S.D. Indiana,  
New Albany Division.  
Shaunne OLSON, Plaintiff,  
v.  
HMS WESTPAC EXPRESS, INC., Defendant.

No. 4:06-cv-154-SEB-WGH.  
March 20, 2009.

[Dennis M. O'Bryan](#), Howard Michael Cohen, O'Bryan  
BaunCohen Kuebler, Birmingham, MI, for Plaintiff.

[Stephanie R. Miller](#), Miller & Miller, Louisville, KY,  
for Defendants.

***ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION ON  
PLAINTIFF'S MOTION FOR ATTORNEYS'  
FEES AND EXPENSES*** (Docket Nos. 86, 121 &  
125)

[SARAH EVANS BARKER](#), District Judge.

\*1 The Court has considered the Magistrate Judge's Report and Recommendation on Plaintiff's Motion for Attorney's Fees and Expenses (Docket No. 125), Defendant's objection thereto (Docket No. 126), and Plaintiff's response (Docket No. 127). The Court has also considered the fact that the Magistrate Judge, having conducted all of the pre-trials, evidentiary hearings, and settlement conferences in this cause, and having been closely involved in resolving the underlying substantive issues, is very well situated to evaluate the work performed by Plaintiff's counsel in this action and the amount of attorneys' fees and expenses that would fairly and reasonably compensate them for their work.

Having given de novo consideration to these issues, pursuant to [Title 28 U.S.C. § 636\(b\)\(1\)\(B\)](#) and (C), and being duly advised in the premises, the Court now finds that the Magistrate Judge's Report and Recommendation is well reasoned and supported by the facts, as well as the law. Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation in full and incorporates it by reference herein.

IT IS, THEREFORE, ORDERED, ADJUDGED,  
AND DECREED that:

1. Attorney Dennis M. O'Bryan is entitled to attorney's fees in the amount of \$7,350.00;
2. Attorney Howard Cohen is entitled to attorneys' fees in the amount of \$13,937.50; and
3. Attorneys Dennis M. O'Bryan and Howard Cohen are entitled to reimbursement of their expenses in the amount of \$2,144.38.

Defendant shall have thirty (30) days from the date of this order to make payment to Plaintiff's attorneys' for the fees and expenses in the amounts awarded herein.

IT IS SO ORDERED.

S.D.Ind.,2009.

Olson v. HMS Westpac Exp., Inc.

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