UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

EAST POINT SYSTEMS, INC.,	:	
THOMAS MARGARIDO, JASON	:	
MARGARIDO, AND PAUL TAFF,	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO.:
	:	3:13-cv-00215 (VAB)
V.	:	
	:	
STEVEN MAXIM, S2K, INC., MAXIM	:	
ENTERPRISES, INC., MAXIM FIELD	:	
SERVICE SUPPLY, INC., EDWIN	:	
PAJEMOLA, AND CLEVELAND FIELD	:	MARCH 22, 2016
SYSTEMS, LLC,	:	
	:	
Defendants.	:	

AMENDED ORDER

On May 18, 2015, the Court entered on order awarding Plaintiffs expenses relating to their successful motion to compel. Order, ECF No. 144. The Court did not award Plaintiffs expenses that they incurred in preparing their fee application on the ground that they were not "expenses incurred in making the motion[.]" Fed. R. Civ. P. 37(a)(5)(A). The Court, however, overlooked controlling decisions providing that a party is entitled to compensation "for time spent reasonably in preparing and defending" an application for fees.¹ *Weyant v. Okst*, 198 F.3d 311, 316 (2d Cir. 1999); *accord Porzig v. Dresdner, Kleinwort, Benson, N. Am. LLC*, 497 F.3d 133, 143 (2d Cir. 2007) (award of fees for time spent litigating fee award was mandatory); *see also Ceglia v. Zuckerberg*, No. 10-CV-00569A(F), 2013 WL 2535849, at *5 (W.D.N.Y. June 10, 2013) (applying *Weyant* to application for fees following motion to compel).

¹ Judge Haight properly pointed out this oversight in *Perez v. Lasership, Inc.*, No. 3:15-mc-00031 (CSH), 2015 WL 8750965, at *4 (D. Conn. Dec. 14, 2015), for which this judge is grateful.

Under Federal Rule of Civil Procedure 60(a), the Court hereby amends its May 18, 2015 order to award Plaintiffs an additional \$225.00 for the following time entries:

- 5/05/2015, AT, Begin drafting our Summary of Expenses and Affidavit of Counsel . .
 \$25.00
- 2. 5/07/2015, JW, Review billing entries in preparation of fee submission . . . \$40.00
- 5/08/2015, JW, Draft summary of expenses relative to motion to compel per Court order . . . \$160.00

SO ORDERED at Bridgeport, Connecticut this twenty-second day of March, 2016.

/s/ Victor A. Bolden VICTOR A. BOLDEN UNITED STATES DISTRICT JUDGE