

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

YALITZA SENQUIZ,

Plaintiff,

v.

THE HARTFORD AUTO GROUP, INC. D/B/A MAC
MITSUBISHI, STRAITS TURNPIKE AUTOMOTIVE,
LLC D/B/ MIDSTATE MITSUBISHI, and
SANTANDER CONSUMER USA, INC.,

Defendants.

Civil No. 3:20-cv-01304 (JBA)

June 3, 2022

ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY'S FEES

Plaintiff Yalitza Senquiz brought suit against Defendants on September 3, 2023. On August 26, 2021, the Court granted Default Judgment against Defendants The Hartford Auto Group, Inc. and Straits Turnpike Automotive, LLC, reciting the material factual findings supporting the Default Judgment and awarding actual damages of \$7,393.89, statutory damages of \$1,000 and punitive damages of \$15,000 [Doc. # 27]. Default judgment of \$26,393.89 was entered by the Clerk on September 1, 2021 [Doc. # 28]. An order allowing a Bill of Costs in the amount of \$522.83 entered November 9, 2021 [Doc. # 33].

What remains is Plaintiff's Motion for Attorney's Fees in the amount of \$6,605.25 sought to be awarded against both defaulted Defendants for work performed in obtaining the Default Judgment against them. Under the Truth in Lending Act, the Equal Credit Opportunity Act, the Electronic Fund Transfer Act, and the Connecticut Uniform Trade Practices Act, Plaintiff is entitled to reasonable attorney's fees. *See* 15 U.S.C. § 1640(a)(B)(3) (TILA); § 1691e(d) (ECOA); § 1693(a)(3) (EFTA); Conn. Gen. Stat. § 42-110g(d) (CUTPA).

The task of the Court is to consider the relevant details of this case and determine whether Plaintiff's proffered hourly rates are presumptively reasonable. *See Arbor Hill*

Concerned Citizens Neighborhood Ass'n v. Cnty. of Albany, 522 F.3d 184, 189 (2d Cir. 2008). The Declaration of Attorney Daniel S. Blinn contains his analysis of the factors in this litigation on which his opinion of reasonableness is based, tracking the factors set out in *Arbor Hill*. Attorney Blinn's current hourly billing rate is \$475 per hour; his senior associate Brendan Mahoney's was \$350 per hour; his paralegal Lori Miner's was \$150 per hour; and his legal assistant Dora Fernandez billed at \$95 per hour. Their contemporaneously maintained billing worksheets are submitted for the record. It is represented that hours attributable to claims against a separate, settling Defendant (Santander) have been culled out and entries screened out as excessive were discounted, leaving only charges for work that was reasonably necessary to achieve this judgment.

Plaintiff cites numerous cases from this District approving hourly rates of at least \$475 for comparable averages. This hourly rate is also supported by the Declaration of Attorney Joanne Faulkner which details her experience over several decades with Attorney Blinn, attesting that he is widely regarded among consumer lawyers as "one of the preeminent attorneys handling auto dealer claims in the United States" [Doc. # 29-3 at 3]. The others' hourly billing rates are supported by Attorney Blinn's lengthy familiarity with other consumer counsel in auto dealer claims through his involvement with the Connecticut Bar Association's Consumer Law Section and the National Association of Consumer Advocates.

Several other factors bear on the reasonableness of the fee request. First, this was a contingent fee case meaning that counsel bears the entire risk of being uncompensated. Second, because two of the Defendants have not appeared and have been defaulted, additional work remains to satisfy the judgment before either the Plaintiff or her counsel obtain any remuneration. Attorney Blinn estimates that work costing between \$500 and \$1,000 remains for this purpose. Third, this type of case has attracted only approximately twelve firms nationwide focusing on auto dealer practices, thus the pool of attorneys with

the requisite experience and familiarity to litigate claims in this area of consumer law is very small. Plaintiff claims a remarkably low twenty-one and a half hours collectively billed by his firm for this result which is consistent with this Court's experience with Attorney Blinn as both exceptionally competent and efficient.

Considering the foregoing factors and the documentation provided, the Court finds that an attorney's fee award of \$6,605.25 is eminently fair and reasonable for the work performed in this case. Accordingly, Plaintiff's Motion for Attorney's Fees [Doc. # 29] is GRANTED and shall be added to the judgment against the two defaulting Defendants, The Hartford Auto Group and Straits Turnpike Automotive, LLC.

IT IS SO ORDERED.

_____/s/_____
Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 3rd day of June 2022.