

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

DR. JAMES BENNETT,

Plaintiff,

v.

2004-CV-0031

**VIRGIN ISLANDS GOVERNMENT
through VIRGIN ISLANDS BOARD OF
OPTOMETRIC EXAMINERS, DR. PETER
KUMPITCH, and DR. CRAIG
FRIEDENBERG,**

Defendants.

**TO: Lee J. Rohn, Esq.
Raymond James, Esq., AAG
William J. Glore, Esq.**

ORDER

THIS MATTER came before the Court upon counsel for Plaintiff's affidavits in support of costs and attorney's fees (Docket No. 118), Defendant Dr. Peter Kumpitch's Motion to Strike the Plaintiff's Request For Attorney's Fees (Docket No. 125), Defendant Dr. Peter Kumpitch's Motion to Deem Conceded (Docket No. 128).

Upon review of the affidavits of counsel for Plaintiff in support of costs and attorney's fees, the Court finds the amounts to be excessive. Consequently, the court will grant in part Defendant Dr. Peter Kumpitch's motion to strike and reduce the amounts to

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be paid by Defendants Virgin Islands Government and Defendant Dr. Peter Kumpitch to a total award of \$1,650.00. Given the Court's disposition of Defendant Dr. Peter Kumpitch's motion to strike, the court will deny said Defendant's motion to deem conceded.

Accordingly, it is now hereby **ORDERED**:

1. Defendants Dr. Peter Kumpitch's Motion to Strike the Plaintiff's Request For Attorney's Fees (Docket No. 125) is **GRANTED IN PART AND DENIED IN PART**.
2. Within ten (10) days from the date of entry of this order, Defendant Virgin Islands Government and Defendant Dr. Peter Kumpitch each shall pay to counsel for Plaintiff the sum of **\$825.00**, for Plaintiff's costs and attorney's fees resulting from and associated with the filing of the motions to show cause, including court appearances, and file notice with the Court of such payment.
3. Defendant Dr. Peter Kumpitch's Motion to Deem Conceded (Docket No. 128) is **DENIED**.

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ENTER:

Dated: January 8, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE