

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Vincent S. Miceli v. Wearable Health Solutions, Inc., Harrysen
Mittler, and Peter Pizzino

Miceli · No. 3:23-CV-01294 (JCH) · Decided May 29, 2026

SUMMARY

The United States District Court for the District of Connecticut grants Vincent S. Miceli’s motion for attorney’s fees and costs following a jury verdict for unpaid wages, severance, and statutory double damages. The court finds the requested billing rates and hours reasonable and awards attorney’s fees and costs against Wearable Health Solutions, Inc. and Harrysen Mittler jointly and severally.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Janet C. Hall
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	May 29, 2026
DOCKET	3:23-CV-01294 (JCH)
DISPOSITION	other
PROCEDURAL POSTURE	After a jury verdict in plaintiff's favor on breach-of-contract and Connecticut wage-statute claims, plaintiff moved for attorney's fees and costs under the employment agreement and Connecticut General Statutes § 31-72. The court ruled on the postjudgment fee motion.
STANDARD OF REVIEW	The court evaluated the reasonableness of the requested fees and costs under the lodestar method, considering the reasonable hourly rates and reasonable hours expended.
PRECEDENTIAL VALUE	Unknown; unpublished district court ruling on a postjudgment fee motion.

TOPICS

- attorney fees
- wage and hour
- breach of contract
- remedies
- civil procedure

PRACTICE AREAS

- employment law
- contracts
- remedies
- civil procedure

QUESTIONS PRESENTED

1. Whether Miceli's requested attorney's fees and costs were reasonable under the employment agreement and Connecticut General Statutes § 31-72.
2. Whether the requested hourly rates and hours expended were reasonable under the lodestar method.

HOLDINGS

1. Because Miceli prevailed on his breach-of-contract and Connecticut wage-statute claims, the employment agreement and Connecticut General Statutes § 31-72 authorized recovery of reasonable attorney's fees and costs.
2. The requested attorney, paralegal, legal-assistant, law-student, and clerk rates, as well as the hours expended, were reasonable, and the court awarded all requested fees and costs.

KEY QUOTATIONS

“The ‘lodestar’ is ‘the product of a reasonable hourly rate and the reasonable number of hours required by the case.’” (II)

“The court grants all requested fees and costs as reasonable.” (IV)

FACTUAL BACKGROUND

Miceli prevailed at trial on a breach-of-contract claim and a claim under Connecticut's wage statute. His employment agreement entitled the prevailing party in an enforcement action to recover costs and reasonable attorney's fees, and Connecticut General Statutes § 31-72 separately authorizes reasonable attorney's fees and costs. Miceli submitted his attorney's affidavit, detailed billing records, hourly rates, and a request for \$107,015.44 in fees and \$2,849.04 in costs.

PROCEDURAL HISTORY

The case was tried to a jury from March 17 through March 20, 2026. The jury awarded Miceli unpaid wages, severance, and double damages under the Connecticut wage statute, and judgment was entered; the court also entered default judgment against Harrysen Mittler. Miceli then moved for \$107,015.44 in attorney's fees and \$2,849.04 in costs. No opposition was filed, and the court granted the request against Wearable Health Solutions, Inc. and Harrysen Mittler jointly and severally.

DISPOSITION

other

CASES CITED

- *Millea v. Metro-North R.R. Co.*, 658 F.3d 154, 166–67 (2d Cir. 2011)
- *Arbor Hill Concerned Citizens Neighborhood Ass'n v. Cnty. of Albany*, 522 F.3d 182, 190–91 (2d Cir. 2008)
- *Kyros Law P.C. v. World Wrestling Enter., Inc.*, 78 F.4th 532, 547 (2d Cir. 2023)

- Savino v. Computer Credit, Inc., 164 F.3d 81, 87 (2d Cir. 1998)
- Lunday v. City of Albany, 42 F.3d 131, 134 (2d Cir. 1994)
- Hernandez v. Berlin Newington Assocs., LLC, No. 3:10-cv-1333 (VLB), 2016 WL 5339720, at *3, *5 (D. Conn. Sept. 22, 2016)
- Hensley v. Eckerhart, 461 U.S. 424, 434 (1983)
- Perdue v. Kenny A. ex rel. Winn, 559 U.S. 542, 553–54 (2011)
- Evans v. State of Conn., 967 F. Supp. 673, 691 (D. Conn. 1997)
- McCullough v. World Wrestling Ent., Inc., No. 3:15-CV-1074 (JAM), 2021 WL 4472719 (D. Conn. Sept. 30, 2021)
- Esposito v. Nations Recovery Ctr., No. 3:18-cv-02089 (VLB), 2021 WL 2109077 (D. Conn. May 25, 2021)
- Rozell v. Ross-Holst, 576 F. Supp. 2d 527, 545–47 (S.D.N.Y. 2008)
- Dipippa v. Fulbrook Capital Mgmt., 2020 WL 1940759
- Negron v. Patriot Auto Sales, LLC, No. 3:17-CV-583 (JCH), 2019 WL 4463440, at *4 (D. Conn. Sept. 17, 2019)

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