

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Thomaz Gruber v. Sabert Corporation

No. No. 21-13312 (MAS) (RLS); 3:21-cv-13312, United States District Court for the District of New Jersey
(February 24, 2026)

SUMMARY

The United States District Court for the District of New Jersey addressed Defendant Sabert Corporation’s application for attorney’s fees following sanctions imposed on Plaintiff Thomaz Gruber for spoliation and discovery violations. The court reduced the requested hourly rates and compensable hours, awarding Sabert \$48,540.00 in attorney’s fees and directing the parties to meet and confer regarding payment.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Rukhsanah L. Singh
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	February 24, 2026
DOCKET	No. 21-13312 (MAS) (RLS); 3:21-cv-13312
DISPOSITION	other
PROCEDURAL POSTURE	Defendant applied for attorney's fees previously authorized as a sanction after the court denied Plaintiff's motion for reconsideration and suppressed three notebooks as an additional sanction for discovery violations.
STANDARD OF REVIEW	The fee applicant bears the burden of demonstrating that requested fees are reasonable. The court determines reasonable fees using the lodestar method and has substantial discretion to evaluate reasonable hourly rates and hours expended.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion and order; precedential status unknown

TOPICS

- attorney fees
- sanctions
- discovery dispute
- evidence
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. What hourly rates were reasonable for Defendant's attorneys and paraprofessionals under prevailing rates in the relevant legal community?
2. What amount of time was reasonably expended on opposing Plaintiff's motion for reconsideration and litigating Defendant's cross-motion for sanctions?
3. What amount of attorney's fees should Defendant recover under the court's prior fee award?

HOLDINGS

1. A fee applicant must support requested hourly rates with satisfactory evidence showing that the rates are reasonable in light of prevailing rates for similar services by lawyers of reasonably comparable skill, experience, and reputation. Defendant's boilerplate declaration, without additional evidence or justification, did not establish that its requested rates were reasonable.
2. The court may exclude or reduce hours that are excessive, redundant, unnecessary, or not sufficiently documented to permit the court to determine what work is compensable.
3. Defendant was entitled to recover \$48,540 in reasonable attorney's fees, rather than the \$121,186 requested.

KEY QUOTATIONS

“A party seeking fees bears “the burden of establishing by way of satisfactory evidence, in addition to [their] own affidavits, . . . that the requested hourly rates” are “reasonable in light of the prevailing rates ‘in the community for similar services by lawyers of reasonably comparable skill, experience, and reputation.’” (III.A)

“The expenditure of almost 30 hours of attorney time to draft less than 11 pages of a reply is simply not reasonable.” (III.B)

FACTUAL BACKGROUND

Plaintiff had destroyed notebooks relevant to the litigation and was previously sanctioned for spoliation. He later disclosed three notebooks that he had maintained in his possession, two of which had missing pages. Defendant incurred attorney time opposing Plaintiff's motion for reconsideration and pursuing additional sanctions. Defendant sought \$121,186 in fees, but the court found the requested hourly rates and portions of the billed time excessive, duplicative, unnecessary, or unrecoverable.

PROCEDURAL HISTORY

The court previously imposed an adverse-inference sanction for Plaintiff's spoliation of evidence. After Plaintiff disclosed three notebooks that he had previously testified were destroyed, he moved for reconsideration, and Defendant cross-moved for additional sanctions and attorney's fees. On June 20, 2025, the court denied reconsideration, suppressed the notebooks under Federal Rules of Civil Procedure 26(e) and 26(g), and awarded

Defendant reasonable fees incurred in opposing reconsideration and pursuing sanctions. Defendant then sought \$121,186 in fees; the court granted the application in part and denied it in part, awarding \$48,540.

DISPOSITION

other

CASES CITED

- Interfaith Community Organization v. Honeywell International, Inc., 426 F.3d 694, 703 n.5 (3d Cir. 2005)
- McKenna v. City of Philadelphia, 582 F.3d 447, 455 (3d Cir. 2009)
- Hensley v. Eckerhart, 461 U.S. 424, 433 (1983)
- Rode v. Dellarciprete, 892 F.2d 1177, 1183, 1190 (3d Cir. 1990)
- United States ex rel. Palmer v. C&D Technologies, Inc., 897 F.3d 128, 137 (3d Cir. 2018)
- Clemens v. New York Central Mutual Fire Insurance Co., 903 F.3d 396, 402 (3d Cir. 2018)
- Maldonado v. Houston, 256 F.3d 181, 184 (3d Cir. 2001)
- Yang v. Village Supermarkets, Inc., No. 18-10486, 2025 WL 2315582, at *4 (D.N.J. Aug. 12, 2025)
- Atlantic City v. Zemurray Street Capital, LLC, No. 14-5169, 2022 WL 92802, at *3 (D.N.J. Jan. 10, 2022)
- MCO & EA LLC v. Silver Globe, Inc., No. 20-17100, 2023 WL 3478466, at *4 (D.N.J. May 15, 2023)
- Stadler v. Abrams, No. 13-2741, 2018 WL 3617967, at *8 (D.N.J. July 30, 2018)
- Jackson Hewitt, Inc. v. Sra, No. 22-4346, 2025 WL 1170822, at *3 (D.N.J. Mar. 21, 2025)
- Service Experts LLC v. Baxter, No. 21-18281, 2025 WL 607026, at *2 (D.N.J. Feb. 25, 2025)
- Mister Softee Franchise LLC v. Giannos, No. 24-2280, 2025 WL 593597, at *1 (D.N.J. Feb. 24, 2025)
- Public Interest Research Group of New Jersey v. Windall, 51 F.3d 1179, 1188 (3d Cir. 1995)
- Institutionalized Juveniles v. Secretary of Public Welfare, 758 F.2d 897, 919 (3d Cir. 1985)
- CT Install Am., LLC v. Boryszewski, No. 22-4557, 2024 WL 4608883, at *3 (E.D. Pa. Oct. 29, 2024)
- Planned Parenthood of Central New Jersey v. Attorney General of New Jersey, 297 F.3d 253, 272 (3d Cir. 2002)
- Khal Anshei Tallymawr Inc. v. Township of Toms River, No. 21-3239, 2025 WL 2931232, at *6 (D.N.J. Oct. 15, 2025)