

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Ines Ruiz Rios, et al. v. Lux Interior and Renovation LLC, et al.

No. CV-23-01686-PHX-DJH (D. Ariz. Mar. 23, 2026) · No. No. CV-23-01686-PHX-DJH · Decided March 23, 2026

SUMMARY

The United States District Court for the District of Arizona grants in part and denies in part Plaintiffs’ motion for attorney’s fees and costs following default judgment in an action under the Fair Labor Standards Act and Arizona wage statutes. The Court awards \$11,392.00 in attorney’s fees for 25.6 compensable hours at \$445 per hour and \$986.20 in out-of-pocket costs. It denies the request for prospective collection costs as speculative and not yet ripe.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Diane J. Humetewa
JURISDICTION	United States District Court for the District of Arizona
DECIDED	March 23, 2026
DOCKET	No. CV-23-01686-PHX-DJH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for attorney fees and costs after obtaining default judgment on claims under the Fair Labor Standards Act, the Arizona Minimum Wage Act, and the Arizona Wage Act.
STANDARD OF REVIEW	The Court independently reviewed the unopposed fee motion under Federal Rule of Civil Procedure 55(b)(2) and Local Rules 54.1 and 54.2, assessing eligibility, entitlement, and reasonableness.
PRECEDENTIAL VALUE	Unknown
PARTIES	Ines Ruiz Rios, Alba Garcia Herrera, Reynaldo Hidalgo Diaz, Lazaro Yunsier Lemus Cedeno, Omar Mejia, Walter Rodirguez, Gerardo Meza, Alcides Rodriguez Rugama, Amara Abigail Terrazas Raya v. Lux Interior and Renovation LLC, Katisleidys Martinez, John Doe Martinez, Julia Martinez, John Doe Martinez II

TOPICS

attorney fees costs default judgment flsa wage and hour

PRACTICE AREAS

employment law civil procedure remedies

QUESTIONS PRESENTED

1. Whether Plaintiffs were eligible for and entitled to an award of reasonable attorney fees and costs under the Fair Labor Standards Act and Arizona Minimum Wage Act after obtaining default judgment.
2. Whether the requested lodestar amount was reasonable under the applicable fee-shifting standards and Kerr factors.
3. Whether Plaintiffs could recover anticipated attorney fees and costs for prospective collection efforts before those expenses were incurred.

HOLDINGS

1. Plaintiffs who obtained default judgment in their favor were prevailing parties and were eligible for and entitled to reasonable attorney fees and costs under the Fair Labor Standards Act and Arizona Minimum Wage Act.
2. The reasonable attorney-fee award was \$11,392.00, representing 25.6 compensable hours at a reasonable hourly rate of \$445.00.
3. Time spent establishing entitlement to and the amount of a statutory attorney-fee award is compensable, including time spent preparing an FLSA fee motion.
4. Anticipated attorney fees and costs for future collection efforts were not recoverable because they were speculative and not ripe before being incurred.

KEY QUOTATIONS

“By having default judgment entered in their favor, Plaintiffs are the prevailing party and are eligible for and entitled to their reasonable attorneys fees.” (1)

“First, the court establishes a lodestar by multiplying the number of hours reasonably expended on the litigation by a reasonable hourly rate” (2)

“The Court will not award Plaintiffs’ counsel for prospective collection efforts.” (9)

“Plaintiff’s counsel will be the awarded attorneys fees in the amount of \$11,392.00 (for 25.6 hours) and \$986.20 in out-of-pocket costs.” (10)

FACTUAL BACKGROUND

Plaintiffs alleged that Defendants failed to pay them wages required under the Fair Labor Standards Act, the Arizona Minimum Wage Act, and the Arizona Wage Act. After Defendants failed to respond, Plaintiffs obtained default judgment and monetary damages. Plaintiffs then sought attorney fees, out-of-pocket costs, and anticipated costs associated with future collection efforts.

PROCEDURAL HISTORY

Defendants failed to respond to the complaint, and the Clerk entered default against all Defendants on November 7, 2023. The Court then granted Plaintiffs' motion for default judgment and awarded damages of \$2,601.00 against Lux Interior and Renovation LLC and \$103,612.40 against all Defendants. Plaintiffs subsequently moved for attorney fees and costs; Defendants did not respond.

DISPOSITION

other

CASES CITED

- Hewitt v. Helms, 482 U.S. 755, 760 (1987)
- Six Mexican Workers v. Ariz. Citrus Growers, 904 F.2d 1301, 1311 (9th Cir. 1990)
- Welch v. Metro. Life Ins. Co., 480 F.3d 942, 945-46 (9th Cir. 2007)
- Machowski v. 333 N. Placentia Prop., LLC, 38 F.4th 837, 841 (9th Cir. 2022)
- Chalmers v. City of Los Angeles, 796 F.2d 1205, 1210-11 (9th Cir. 1986), opinion amended on denial of reh'g, 808 F.2d 1373 (9th Cir. 1987)
- In re Nucorp Energy, Inc., 764 F.2d 655, 659-60 (9th Cir. 1985)
- Gary v. Carbon Cycle Ariz. LLC, 398 F. Supp. 3d 468, 479 (D. Ariz. 2019)
- Intel Corp. v. Terabyte Int'l, Inc., 6 F.3d 614, 622 (9th Cir. 1993)
- Kerr v. Screen Extras Guild, Inc., 526 F.2d 67, 70 (9th Cir. 1975)
- City of Burlington v. Dague, 505 U.S. 557 (1992)
- Ubinger v. Urb. Housekeeping LLC, 2024 WL 3045303, at *3-*4 (D. Ariz. June 18, 2024)
- Avila v. JBL Cleaning LLC, 2025 WL 755421, at *2 (D. Ariz. Mar. 10, 2025)
- Verduzco v. Value Dental Ctrs. Mesa W. AZ LLC, 2022 WL 2718163, at *2 (D. Ariz. July 12, 2022)
- Romero v. Steel Roots LLC, 2025 WL 509259, at *3, *5 (D. Ariz. Feb. 14, 2025)
- Lemus v. Blackrock CM Inc., No. CV-24-02561-PHX-JAT, 2025 WL 460548, at *3-*4 (D. Ariz. Feb. 11, 2025)
- Moreno v. City of Sacramento, 534 F.3d 1106, 1112 (9th Cir. 2008)
- Hensley v. Eckerhart, 461 U.S. 424, 435 (1983)
- Delgado v. Fast Wireless LLC, 2025 WL 40761, at *4 (D. Ariz. Jan. 7, 2025)
- Steel Roots LLC, 2024 WL 2389353, at *4 (D. Ariz. May 23, 2024)