UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Emil James Kohan v. Lucid Group USA, Inc.

Kohan · No. 3:24-cv-02030-JSC · Decided December 18, 2025

SUMMARY

The United States District Court for the Northern District of California partially granted and partially denied Emil James Kohan’s motion for attorneys’ fees and costs under California’s Song-Beverly Act. The court reduced the requested hourly rates and billed hours, denied the requested lodestar multiplier, and denied costs because they were unsubstantiated. The court awarded $33,603.00 in attorneys’ fees.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 18, 2025
DOCKET	3:24-cv-02030-JSC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorneys' fees and costs after accepting Defendant's Federal Rule of Civil Procedure 68 offer of judgment in a Song-Beverly Act warranty action.
STANDARD OF REVIEW	The Court evaluated the reasonableness of attorneys' fees and costs under California law and exercised its discretion in calculating the lodestar, applying reductions, and determining whether a multiplier was warranted.
PRECEDENTIAL VALUE	unpublished and nonprecedential district court order

TOPICS

attorney fees · costs · consumer protection · remedies · civil procedure

PRACTICE AREAS

consumer protection · attorneys' fees · civil procedure

QUESTIONS PRESENTED

1. Whether Kohan was a prevailing party entitled to recover reasonable attorneys' fees under California Civil Code section 1794(d) after accepting Lucid's Rule 68 offer of judgment.
2. What hourly rates and number of hours were reasonably compensable under the lodestar method.
3. Whether the requested 1.5 lodestar multiplier was warranted.
4. Whether Kohan was entitled to recover the requested litigation costs without substantiation.

HOLDINGS

1. A consumer who achieves the main litigation objective through acceptance of a compromise or Rule 68 offer of judgment may recover reasonable attorneys' fees and costs as a prevailing party under California's Song-Beverly Act.
2. Song-Beverly Act fee awards are calculated using the lodestar method, and the reasonable hourly rate is the prevailing rate in the relevant community for comparable noncontingent work.
3. Hours that are vague, excessive, redundant, clerical, or otherwise unnecessary are not compensable, and the Court may apply reasonable reductions, including an across-the-board reduction of no more than ten percent when supported by its review of the billing record.
4. A lodestar multiplier is discretionary and was unwarranted for this routine Song-Beverly Act case.
5. A court may not award requested litigation costs that the claimant has not substantiated in accordance with the applicable federal and local procedures.

KEY QUOTATIONS

> *"A party is a prevailing party if the court, guided by equitable principles, decides the party has achieved its "main litigation objective.""* (at 1)

> *"The lodestar figure consists of "the number of hours reasonably expended multiplied by the reasonable hourly rate.""* (at 2)

> *"Work entries are inadequately vague when the district court is unable to discern how the time spent is attributable to the case at hand."* (at 7)

> *"When clerical tasks are billed at hourly rates, the court should reduce the hours requested to account for the billing errors."* (at 10)

> *"the district court can impose a small reduction, no greater than 10 percent—a 'haircut'—based on its exercise of discretion and without a more specific explanation."* (at 11)

FACTUAL BACKGROUND

Kohan purchased a vehicle from Lucid in March 2022 and brought warranty claims under California's Song-Beverly Act. Lucid removed the action to federal court, obtained an order compelling arbitration, and later made a Rule 68 offer of judgment that Kohan accepted. Kohan sought substantial attorneys' fees and costs, including a lodestar multiplier, but the Court found the claimed rates and hours excessive or insufficiently substantiated.

PROCEDURAL HISTORY

Kohan filed warranty claims under California's Song-Beverly Act. The action was removed from Alameda County Superior Court, and the Court granted Lucid's motion to compel arbitration. Nine months later, Kohan accepted Lucid's Rule 68 offer of judgment and then moved for $115,429.50 in attorneys' fees and $5,850.18 in costs. The Court granted the motion in part and denied it in part, awarding $33,603.00 in attorneys' fees and no costs.

DISPOSITION

other

CASES CITED

- Riordan v. State Farm Mutual Automobile Insurance Co., 589 F.3d 999, 1004 (9th Cir. 2009)
- Graciano v. Robinson Ford Sales, Inc., 144 Cal. App. 4th 140, 150-51 (2006)
- Wohlgemuth v. Caterpillar Inc., 207 Cal. App. 4th 1252, 1262 (2012)
- Robertson v. Fleetwood Travel Trailers of Cal., Inc., 144 Cal. App. 4th 785, 818 (2006)
- PLCM Group v. Drexler, 22 Cal. 4th 1084, 1095 (2000)
- Ketchum v. Moses, 24 Cal. 4th 1122, 1132-33 (2001)
- Jordan v. Multnomah County, 815 F.2d 1258, 1263 (9th Cir. 1987)
- Prison Legal News v. Schwarzenegger, 608 F.3d 446, 454 (9th Cir. 2010)
- Laffey v. Northwest Airlines, Inc., 572 F. Supp. 354, 371-75 (D.D.C. 1983)
- Camacho v. Bridgeport Financial, Inc., 523 F.3d 973, 979 (9th Cir. 2008)
- Danielyan v. Mercedes-Benz USA LLC, No. CV 24-2918 FMO (MAAX), 2025 WL 2019933, at *2 (C.D. Cal. June 18, 2025)
- Kumuryan v. Mercedes Benz USA LLC, No. 8:24-CV-00367-DOC-KES, 2024 WL 5369425, at *3 (C.D. Cal. Nov. 17, 2024)
- Ghalehshahi v. Ford Motor Co., No. CV 23-07043-MWF (SKX), 2024 WL 5372401, at *3, *6 (C.D. Cal. Nov. 13, 2024)
- Nazaryan v. Mercedes-Benz USA, L.L.C., No. 2:23-CV-06918-WLH-AS, 2024 WL 5706159, at *2 (C.D. Cal. Sept. 12, 2024)
- Chen v. BMW of North America, 2022 WL 18539356, at *3-4 (N.D. Cal. Nov. 14, 2022)
- Wu v. BMW of North America, LLC, 2022 WL 2802979, at *3-4 (N.D. Cal. July 18, 2022)
- Covarrubias v. Ford Motor Co., 2021 WL 3514095, at *4-5 (N.D. Cal. Aug. 10, 2021)
- Cardoso v. FCA US LLC, 2021 WL 1176532, at *3 (N.D. Cal. Mar. 29, 2021)
- Costa v. Commissioner of Social Security Administration, 690 F.3d 1132, 1135 (9th Cir. 2012)
- Moore v. Jas. A. Matthews & Co., 682 F.2d 830, 839 (9th Cir. 1982)
- Hensley v. Eckerhart, 461 U.S. 424, 437 (1983)
- Center for Food Safety v. Vilsack, No. C-08-00484 JSW, 2011 WL 6259891, at *8 (N.D. Cal. Oct. 13, 2011)

- Uriarte-Limon v. Leyva, 2017 WL 5665016, at *4 (C.D. Cal. June 30, 2017)
- Whitaker v. Beverly Falafel, Inc., 2020 WL 6494193, at *4 (C.D. Cal. Sept. 15, 2020)
- Kries v. City of San Diego, No. 17-CV-1464-GPC-BGS, 2021 WL 120830, at *9 (S.D. Cal. Jan. 13, 2021)
- Clarke v. American Commercial National Bank, 974 F.2d 127, 129 (9th Cir. 1992)
- Evazyan v. Mercedes-Benz USA, LLC, No. 22-CV-06032 JLS (MRW), 2023 WL 11197079, at *5 (C.D. Cal. Dec. 6, 2023)
- Matevosyan v. Mercedes-Benz USA, LLC, No. CV 22-4679-MWF (JEMX), 2023 WL 8125448 (C.D. Cal. July 10, 2023)
- Pacheco v. Ford Motor Co., 2022 WL 845108, at *4 (C.D. Cal. Mar. 22, 2022)
- Operating Engineers Health & Welfare Trust Fund v. Goes & Noceti Construction, Inc., No. 24-CV-08378-KAW, 2025 WL 2684388, at *8 (N.D. Cal. June 24, 2025)
- Neil v. Commissioner of Social Security, 495 F. App'x 845, 847 (9th Cir. 2012)
- Nadarajah v. Holder, 569 F.3d 906, 921 (9th Cir. 2009)
- Rahman v. FCA US LLC, 594 F. Supp. 3d 1199, 1207 (C.D. Cal. 2022)
- Stanger v. China Electric Motor, Inc., 812 F.3d 734, 740 (9th Cir. 2016)