

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Richard Neyland, et al. v. Sheriff Susan Hutson, et al.

Neyland · No. 2:23-cv-01773 · Decided May 20, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana partially grants and partially denies Richard Neyland’s motion for attorneys’ fees arising from a partially granted motion to compel discovery. The court reduces the requested fees and awards \$2,800.00 for seven hours of work at an hourly rate of \$400, with no adjustment under the Johnson factors.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Donna Phillips Currault
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	May 20, 2026
DOCKET	2:23-cv-01773
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorneys’ fees after the court granted in part his motion to compel discovery responses, ordered ESI discovery, and awarded reasonable fees and costs contingent on a supporting fee motion.
STANDARD OF REVIEW	The court evaluated the requested fee award under the lodestar method, considering the reasonableness of the hours, the prevailing market rate, billing judgment, and the Johnson factors.
PRECEDENTIAL VALUE	Unknown; unpublished federal district court order.

TOPICS

- attorney fees
- discovery dispute
- civil procedure

PRACTICE AREAS

- attorneys’ fees
- civil procedure
- discovery

QUESTIONS PRESENTED

1. Whether Plaintiff established entitlement to reasonable attorneys' fees under the lodestar method after partially prevailing on a motion to compel discovery.
2. Whether the requested hourly rate and hours were reasonable and supported by adequate documentation and billing judgment.
3. Whether the Johnson factors warranted an adjustment to the lodestar.

HOLDINGS

1. Because Defendant did not oppose the fee motion, the requested hourly rate of \$400 was deemed prima facie reasonable, although the court expressly declined to determine whether the rate was reasonable within the community.
2. A fee applicant must adequately document the hours reasonably expended and demonstrate billing judgment; because the 7.82 hours requested were somewhat excessive, the court reduced the award to seven compensable hours.
3. No adjustment to the lodestar was warranted under the Johnson factors.

KEY QUOTATIONS

"The Court finds that a further reduction of the hours spent is necessary. Accordingly, Plaintiff shall be compensated for 7 hours in total at the hourly rate of \$400 per hour, resulting in a fee award of \$2,800 for fees incurred with the drafting, filing and arguing the motion to compel."

FACTUAL BACKGROUND

The court had ordered ESI discovery after partially granting Neyland's fourth motion to compel discovery responses and had authorized reasonable fees and costs subject to a properly supported motion. Neyland's counsel sought compensation for 7.82 hours at \$400 per hour, totaling \$2,966.67, and submitted documentation and an affidavit concerning the rate. The court found the requested hours somewhat excessive and reduced the compensable time to seven hours.

PROCEDURAL HISTORY

The court previously granted in part Plaintiff Richard Neyland's Fourth Motion to Compel Discovery Responses and denied sanctions. Plaintiff then sought \$2,966.67 in attorneys' fees. Defendant Sheriff Susan Hutson filed no opposition. The court granted the fee motion in part and denied it in part, awarding \$2,800.00.

DISPOSITION

other

CASES CITED

- *Watkins v. Fordice*, 7 F.3d 453, 457, 459 (5th Cir. 1993)
- *Hensley v. Eckerhart*, 461 U.S. 424, 433-34 (1983)

- Saizan v. Delta Concrete Products Co., 448 F.3d 795, 799 (5th Cir. 2006)
- Tollett v. City of Kemah, 285 F.3d 357, 368 (5th Cir. 2002)
- La. Power & Light Co. v. Kellstrom, 50 F.3d 319, 324, 328-29 (5th Cir. 1995) (per curiam)
- Johnson v. Georgia Highway Express, Inc., 488 F.2d 714, 717-19 (5th Cir. 1974)
- Heidtman v. County of El Paso, 171 F.3d 1038, 1043 (5th Cir. 1999)
- Village Shopping Center Partnership v. Kimble Development LLC, 287 So. 3d 882, 886 (La. App. 5 Cir. 2019)
- St. Blanc v. Stabile, 114 So. 3d 1158, 1160 (La. App. 5 Cir. 2013)
- Black v. SettlePou, P.C., 732 F.3d 492, 502 (5th Cir. 2013)
- Missouri v. Jenkins ex rel. Agyei, 491 U.S. 274, 288 n.10 (1989)
- DeLeon v. Abbott, 687 F. App'x 340, 343 (5th Cir. 2017)
- No Barriers, Inc. v. Brinker Chili's Texas, Inc., 262 F.3d 496, 500-01 (5th Cir. 2001)
- Fleming v. Elliot Security Solutions, LLC, No. 19-2348, 2021 WL 4908875, at *5 (E.D. La. Oct. 21, 2021)
- United States ex rel. McNeil v. Jolly, 451 F. Supp. 3d 657, 670 (E.D. La. 2020)
- Walker v. City of Mesquite, 313 F.3d 246, 251 (5th Cir. 2002)
- Leblanc v. FedEx Ground Package System, Inc., No. 19-13274, at *3 (E.D. La. Apr. 12, 2021)
- Stagner v. Western Kentucky Navigation, Inc., No. 02-1418, 2004 WL 253453, at *6 (E.D. La. Feb. 10, 2004)