UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

Cecilia Ruiz Gonzalez, et al. v. Taqueria El Texano, LLC, et al.

Cecilia Ruiz Gonzalez v. Taqueria El Texano, LLC, No. 1:24-cv-0967 (W.D. Mich. Jan. 27, 2026) · No. 1:24-cv-0967 · Decided January 27, 2026

SUMMARY

This Report and Recommendation addresses Plaintiffs' petition for attorney fees and costs following a default judgment against Defendants for violations of the Fair Labor Standards Act, Michigan wage law, breach of contract, and unjust enrichment. The magistrate judge recommends awarding $6,534.00 in attorney and paralegal fees and $1,934.68 in costs. The recommendation was issued after Defendants failed to respond to the fee petition.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Phillip J. Green
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	January 27, 2026
DOCKET	1:24-cv-0967
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs petitioned for attorney fees and costs after obtaining a default judgment on claims under the Fair Labor Standards Act, Michigan's Improved Workforce Opportunity Wage Act, breach of contract, and unjust enrichment. The magistrate judge issued this Report and Recommendation recommending that the petition be granted in full.
STANDARD OF REVIEW	The court independently reviewed the unopposed fee petition for the reasonableness of the requested fees and costs.
PRECEDENTIAL VALUE	unpublished and nonprecedential Report and Recommendation

TOPICS

attorney fees · costs · default judgment · flsa · breach of contract

PRACTICE AREAS

attorney fees | costs | employment law | wage and hour | contracts

QUESTIONS PRESENTED

1. Whether Plaintiffs were entitled to recover the requested attorney fees and paralegal fees after obtaining a default judgment.
2. Whether the requested hourly rates and hours expended were reasonable under the lodestar method.
3. Whether Plaintiffs' requested litigation costs, including service and alternative-service expenses, were reasonable and recoverable.

HOLDINGS

1. The reasonable fee is calculated using the lodestar method: the number of hours reasonably expended multiplied by a reasonable hourly rate.
2. The requested hourly rate of $450 for Plaintiffs' attorney and $135 for the paralegal was reasonable.
3. The claimed nine attorney hours and 18.4 paralegal hours were reasonable.
4. The requested $1,934.68 in costs was reasonable under the circumstances and should be awarded.

KEY QUOTATIONS

> *"The most useful starting point for determining the amount of a reasonable fee is the number of hours reasonably expended on the litigation multiplied by a reasonable hourly rate."* (at 3)

> *"Ordinarily, courts look to '[rates] prevailing in the community for similar services by lawyers of reasonably comparable skill, experience, and reputation.'"* (at 4)

FACTUAL BACKGROUND

Plaintiffs alleged that Defendants failed to pay minimum wages and overtime under the FLSA and Michigan law. Cecilia Ruiz Gonzalez also alleged that Defendants failed to repay a $4,000 business loan, supporting breach-of-contract and unjust-enrichment claims. Defendants failed to respond after service by publication and mail, resulting in entry of default and a default judgment for Plaintiffs. Plaintiffs sought $4,050.00 in attorney fees, $2,484.00 in paralegal fees, and $1,934.68 in costs.

PROCEDURAL HISTORY

Plaintiffs filed suit on September 16, 2024, and obtained an order permitting alternative service. After Defendants failed to answer, the Clerk entered default under Federal Rule of Civil Procedure 55(a). Plaintiffs moved for default judgment, which the magistrate judge recommended granting and the district court adopted on November 19, 2025. Plaintiffs then sought $6,534.00 in fees and $1,934.68 in costs; Defendants did not respond.

DISPOSITION

other

CASES CITED

- Hensley v. Eckerhart, 461 U.S. 424, 433 (1983)
- Perdue v. Kenny A., 559 U.S. 542, 546 (2010)
- Isabel v. City of Memphis, 404 F.3d 404, 415 (6th Cir. 2005)
- Adcock-Ladd v. Sec'y of Treasury, 227 F.3d 343, 349-50 (6th Cir. 2000)
- Gonter v. Hunt Valve Co., Inc., 510 F.3d 610, 617 (6th Cir. 2007)
- Hadix v. Johnson, 65 F.3d 532, 536 (6th Cir. 1995)
- Blum v. Stenson, 465 U.S. 886, 895-96 & n.11 (1984)
- Coulter v. Tennessee, 805 F.2d 146, 149 (6th Cir. 1986)
- Plyler v. Evatt, 902 F.2d 273, 277 (4th Cir. 1990)
- Wells v. Corporate Accounts Receivable, 683 F. Supp. 2d 600, 603 (W.D. Mich. 2010)
- O'Connor v. Trans Union, LLC, No. 05-cv-74498, 2008 WL 4910670, at *5-6 (E.D. Mich. Nov. 13, 2008)
- Lamar Advertising Co. v. Charter Twp. of Van Buren, 178 F. App'x 498, 501-02 (6th Cir. 2006)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947 (6th Cir. 1981)