

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

T-PEG, INC and)	
TIMBERPEG EAST, INC.,)	
Plaintiffs,)	
)	
vs.)	No. 03-CV-462-M
)	
VERMONT TIMBER WORKS, INC.,)	
And DOUGLAS FRIANT,)	
Defendants.)	

DEFENDANTS’ MOTION TO DETERMINE AND
ORDER PAYMENT OF ATTORNEYS FEES
AWARDED PER THE NOVEMBER 19, 2004 ORDER

Defendant, Vermont Timber Works, Inc. (“VTW”) moves the Court to determine the amount of attorneys fees awarded previously in the Court’s November 19, 2005 Order, which sanctioned plaintiffs for “failure to comply with Rule 26(a)(1), . . . failure to comply with Rule 33 and the six months of ‘stonewalling.’”

VTW’s fees related to the discovery order are \$5,100, as set forth in the attached letter of counsel dated December 7, 2004 (Ex. 1) and an updating e-mail dated March 8, 2005 (Ex. 2).

The undersigned counsel states that the services were reasonable and necessary in connection with obtaining the discovery order and in responding to plaintiffs’ motion to reconsider it.

No legal memorandum is submitted with this motion as the issues are non-legal and the relief is in the discretion of the Court.

The undersigned conferred with plaintiffs’ counsel. Plaintiffs did not offer to pay any amount at all and do not assent to the motion.

Date: March 14, 2005

VERMONT TIMBER WORKS, INC.
and DOUGLAS FRIANT,
Defendants,

By: W. E. Whittington
Their Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2005, I served the foregoing pleading on the following counsel of record, by first class mail:

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