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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 REGINALD BOYLAND,

12 Plaintiff,

13 v.

14 TENTHOUSAND PROJECTS, LLC et
al,

15 Defendant.
16
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Case No.: 2:21-cv-07321-CBM-PVC

**ORDER RE: MOTION FOR
ATTORNEYS' FEES AND COSTS**

18 The matter before the Court is Defendants TenThousand Projects, LLC,
19 UMG Recordings, Inc., Michael Lamar White p/k/a "Trippie Redd" and 1400
20 Entertainment, Inc.'s (collectively, "Defendants") Motion for Attorneys' Fees and
21 Costs. (Dkt. Nos. 133, 135, 136, 144.)

22 **I. BACKGROUND**

23 This is a copyright infringement action filed in September 2021 by Plaintiff
24 Reginald Boyland, d/b/a OTS Records, On the Strength Records, and Bank Bag
25 Publishing, against Defendants TenThousand Projects, LLC ("TenThousand"),
26 1400 Entertainment, Inc. ("1400 Entertainment"), Michael Lamar White p/k/a
27 "Trippie Redd," and Caroline Records (a division of UMG Recordings, Inc.
28 ("UMG")). (Dkt. No. 1 ("Complaint").) Plaintiff alleged copyright infringement

1 under 17 U.S.C §§ 501 et seq. based on his alleged ownership over the copyrights
2 for both “the musical composition and sound recording entitled “*Pimps in the*
3 *House*” and Defendants’ alleged infringement of his copyrights in the song “*Death*”
4 by Michael Lamar White (also known as “Trippie Redd”). (Compl., ¶ 39.)

5 On January 10, 2025, the Court issued its order granting summary judgment
6 for Defendant TenThousand Projects, LLC and UMG Recordings, Inc., and
7 dismissing Plaintiff’s claim for copyright infringement against those Defendants.
8 (Dkt. No. 98, the “MSJ Order.”) The Court held that (1) “there is no genuine
9 dispute that *Death* does not include a recapture of the actual sounds in the *House*
10 sound recording,” and (2) “[t]he unrebutted evidence indicates that *Death* did not
11 infringe on Plaintiff’s copyright for the *House* musical composition. (*Id.* at 5, 8.)
12 Despite this ruling, Plaintiff obtained defaults against the remaining Defendants,
13 including 1400 Entertainment. (Dkt. No. 112.) Between January and June 2025,
14 Plaintiff filed various motions, including an untimely opposition to
15 TenThousand’s Motion for Summary Judgment, a motion to reopen discovery,
16 which the Court denied and was followed by submission of two undisclosed
17 expert reports, and a motion for default judgment against 1400 Entertainment,
18 obtained a Clerk’s default against Defendants, and a motion for default judgment
19 against Defendants. (Dkt. Nos. 80, 87, 104, 105, 111, 112, 113.)

20 On June 25, 2025, the Court issued its order granting 1400 Entertainment’s
21 motion to set aside default, denied Plaintiff’s motion for default judgment, and
22 granted 1400 Entertainment’s motion to dismiss without leave to amend. (Dkt. No.
23 131.) As no further claims remained in the case, the Court entered judgment in
24 favor of all Defendants (*id.*) and for Defendants to recover their costs. (Dkt. No.
25 132.) Defendant TenThousand Projects LLC then filed its application for costs
26 against Plaintiff (Dkt. No. 133) and Defendants TenThousand Projects LLC and
27 1400 Entertainment, Inc. filed the instant Motions for attorneys’ fees. (Dkt. Nos.
28 135, 136, 144.)

Defendant TenThousand seeks \$391,578.10 in attorneys' fees and \$3,862.45 in costs pursuant to Section 505 of the Copyright Act, 17 U.S.C. § 505. (*See* Dkt. Nos. 133, 135.) Defendant TenThousand also requests that Plaintiff's counsel of record, Carlee McCollough, be held jointly and severally liable for a portion of those attorneys' fees and costs amounting to \$121,490.10, pursuant to 28 U.S.C. § 1927. (*Id.*) Defendant 1400 Entertainment seeks \$32,042.50 in attorneys' fees pursuant to Section 505. (Dkt. No. 136-1.)

II. STATEMENT OF THE LAW

Section 505 of the Copyright Act permits district courts to award "a reasonable attorney's fee to the prevailing party." 17 U.S.C. § 505. "District courts have wide latitude to exercise equitable discretion to award attorneys' fees" under Section 505. *Essex Music, Inc. v. Sonora Claremont, Inc.*, 2009 WL 10671986, at *5 (C.D. Cal. Jan. 27, 2009) (quotations omitted). In guiding their discretion, courts may consider the following factors, derived from *Fogerty*: "(1) the degree of success obtained, (2) frivolousness, (3) motivation, (4) [objective] reasonableness of losing party's legal and factual arguments, and (5) the need to advance considerations of compensation and deterrence." *Wall Data Inc. v. L.A. Cnty. Sheriff's Dep't*, 447 F.3d 769, 787 (9th Cir. 2006). Courts should give "substantial" weight to the objective reasonableness factor but should also consider the other relevant factors. *Kirtsaeng v. John Wiley & Sons, Inc.*, 579 U.S. 197, 199–200 (2016). These factors must be applied in a manner "faithful to the purposes of the Copyright Act," which was intended to discourage infringement and enrich the public through access to creative works. *Fogerty v. Fantasy, Inc.*, 510 U.S. 517, 534 n.19 (1994); *Kirtsaeng*, 579 U.S. at 209.

III. DISCUSSION

A. Degree of Success Obtained

It is undisputed that Defendants are the "prevailing party" under the Copyright Act. *See Cadkin v. Loose*, 569 F.3d 1142, 1150 (9th Cir. 2009) ("[A]

1 defendant is a prevailing party following dismissal of a claim if the plaintiff is
2 judicially precluded from refileing the claim against the defendant in federal
3 court.”). The Court granted Defendants’ Motion for Summary Judgment and
4 Judgment in their favor, and as such Defendants have obtained complete success
5 in this action. Accordingly, this factor favors granting Defendants' request for
6 attorneys' fees. *See Yue v. Storage Tech. Corp.*, 2008 WL 4185835, at *3 (N.D.
7 Cal. Sept. 5, 2008) (holding that the first factor weighs in favor of granting fees
8 because Defendants “obtained a dismissal of the entire action with prejudice,” and
9 Defendants “established that Plaintiff could not assert new copyrights against
10 Defendants....”).

11 The Court will therefore consider the other factors to determine whether it
12 should exercise its discretion to award attorneys' fees as to each Defendant.

13 **1. Defendant TenThousand**

14 **(i) “Frivolousness” and “Objective Reasonableness”**

15 Defendant TenThousand argues that Plaintiff’s sound recording and musical
16 composition claims were frivolous and objectively unreasonable, because Plaintiff
17 knew that his legal and factual arguments lacked merit and he engaged in
18 litigation misconduct to pursue them. (Dkt. No. 135-1 at 6, 8.) “[A] case is
19 deemed frivolous only when the result is obvious or the arguments are wholly
20 without merit.” *Perfect 10, Inc. v. Giganews, Inc.*, 2015 WL 1746484, at *8 (C.D.
21 Cal. Mar. 24, 2015) (quoting *Glass v. Sue*, 2011 WL 561028, at *3 (C.D. Cal. Feb.
22 8, 2011)). Similarly, a party's conduct is considered objectively unreasonable
23 where it “should have known from the outset that its chances of success in this
24 case were slim to none.” *SOFA Ent., Inc. v. Dodger Prods., Inc.*, 709 F.3d 1273,
25 1280 (9th Cir. 2013).

26 During his deposition, Plaintiff stated that Three 6 Mafia’s “*Hit*” only
27 “recreated the music” in Plaintiff’s song “*House*,” but did not sample it, indicating
28 the Plaintiff knew there was no copyright infringement between the two songs.

(Dkt. No. 135-1 at 8; MSJ Order at 4.) Plaintiff testified that Michael Lamar White (also known as “Trippie Redd”)’s song “*Death*” does not share any of the lyrics as *Hit* and that “the only music in *Death* that also appears in *House* is a repeating eighth note.” (MSJ Order at 7:9-12.) Plaintiff’s own expert Mr. McBrearty stated the similarity between *House* and *Death* is a repeating note and “a very common [hi-hat] pattern” of “straight 16th notes,” and that “[t]he similarities in *Hit* are not the result of audio sampling” of *House* and that “*Hit* does not sample” *House*. McBrearty Report (Doc. 100-1) at 2, 4. Thus, a single repeating note is insufficient to attract copyright protection, and Plaintiff’s failure to offer musicological evidence does not meet the Ninth Circuit’s extrinsic test for such cases. (Dkt. No. 135-1; *see also Swirsky v. Cary*, 376 F.3d 841, 845, 851 (9th Cir. 2004) (“The extrinsic test requires analytical dissection of a work and expert testimony” and “[A] single musical note would be too small a unit to attract copyright protection.”) (internal quotation omitted.) As the Court held, there is no genuine dispute over the fact that *Death* does not include a recapture of the actual sounds in the *House* sound recording, and Plaintiff has failed to meet his burden to satisfy the extrinsic test by failing to provide evidence that *Death* infringed on Plaintiff’s copyright for *House*. (MSJ Order at 5, 8.) Accordingly, it was unreasonable for Plaintiff to continue to pursue his claims, including filing two undisclosed expert reports eight months after the close of expert discovery and after the Court denied Plaintiff’s motion to reopen fact and expert discovery, after the Court issued its MSJ Order dismissing the action. (Dkt. No. 135-1 at 10; Dkt. No. 93.) Accordingly, the Court holds that this factor also favors an award of attorneys’ fees.

(ii) Motivation

“Courts generally hold that a finding of bad faith can be based on ‘not only the actions that led to [the] lawsuit, but also [] the conduct of the litigation.’” *Gilbert*, 2010 WL 5790688, at *3 (quoting *Hall v. Cole*, 412 U.S. 1,

1 15 (1973)). In the instant case, Defendant states Plaintiff pursued the suit “to
2 extract underserved payments” as he could not have “reasonably believed he
3 would prevail on claims he effectively testified lack merit.” (Dkt. No. 135-1 at 11;
4 *see also* Dkt. No. 71, Exhibits 22-24.) Defendant also states that Plaintiff has other
5 lawsuits filed in the Central District of California and in Georgia to demonstrate
6 that this case was brought in bad faith. (*Id.*) After the Court granted Defendant’s
7 Motion for Summary Judgment, Defendant argues Plaintiff exhibited bad faith
8 conduct when Plaintiff: (1) filed a motion to reopen discovery (which Defendant
9 opposed and the Court denied), (2) opposed dismissal and the entry of Judgment
10 and sought to pursue the same claims the Court dismissed in its MSJ Order against
11 1400 Entertainment, (3) submitted two undisclosed expert reports after the close
12 of expert discovery deadlines and the denial of the motion to reopen, (4) filed a
13 motion for default against 1400 Entertainment, (5) filed and obtained an
14 application for a Clerk’s default against 1400 Entertainment, and (6) filed another
15 motion for default judgment against 1400 Entertainment. (Dkt No. 135-1 at 14-
16 17.)

17 The Court’s MSJ Order addresses both the sound recording and musical
18 composition infringement claims. (Dkt. No. 98.) Plaintiff’s Counsel is bound by
19 the work that had been done, of which she was aware when joining the litigation.
20 *See Matrix Motor Co. v. Toyota Jidosha Kabushiki Kaisha*, 218 F.R.D. 667, 676
21 (C.D. Cal. 2003) (finding substitution of counsel later in litigation does not excuse
22 party's failure to comply with court scheduling order); *Reinsdorf v. Skechers*
23 *U.S.A., Inc.*, 296 F.R.D. 604, 614 (C.D. Cal. 2013) (“dissatisfaction with counsel’s
24 strategic decisions after an adverse result on a motion is not a proper ground for
25 granting a motion for reconsideration”); *see also Hussain v. Nicholson*, 435 F.3d
26 359, 364 (D.C. Cir. 2006) (“[A] party who voluntarily chooses his attorney
27 ‘cannot ... avoid the consequences of the acts or omissions of this freely selected
28

1 agent.”) (quoting *Link v. Wabash R.R. Co.*, 370 U.S. 626, 633–34, 82 S. Ct. 1386,
2 8 L.Ed.2d 734 (1962)); *Marcin Eng'g LLC v. The Founders at Grizzly Ranch,*
3 *LLC*, 219 F.R.D. 516, 521 (D. Colo. 2003) (“That new counsel is dissatisfied with
4 the state of the case it inherited is not grounds under this authority for reopening
5 discovery long after the court-ordered deadlines have passed.”); *Vineberg v.*
6 *Bissonnette*, 548 F.3d 50, 55 (1st Cir. 2008) (“The engagement of a new attorney,
7 without more, does not compel—or even necessarily favor—the reopening of a
8 previously closed period of discovery.”); *Carson v. Bethlehem Steel Corp.*, 82
9 F.3d 157, 159 (7th Cir. 1996) (“There is no principle that each new attorney for a
10 litigant must have an independent opportunity to conduct discovery. Shortcomings
11 in counsel's work come to rest with the party represented.”). Accordingly, the
12 Court holds that this factor also favors an award of attorneys’ fees.

13 **(iii) Considerations of Compensation and Deterrence**

14 The fifth factor considers whether there is a “need ... to advance
15 considerations of compensation and deterrence.” *Kirtsaeng*, 579 U.S. at
16 202 (quoting *Fogerty I*, 510 U.S. at 534). “Deterring non-meritorious lawsuits
17 against defendants seen as having ‘deep pockets’ and compensating parties that
18 must defend themselves against meritless claims are both [laudable] ends.” *Scott*
19 *v. Meyer*, 2010 WL 2569286, at *3 (C.D. Cal. June 21, 2010). “This factor
20 supports an award of fees if the losing party should be deterred from presenting in
21 the future the claims (or defenses) that it asserted in the case in which fees are
22 sought.” *Gold Value Int'l Textile, Inc. v. Sanctuary Clothing, LLC*, 2023 WL
23 5505005, at *6 (C.D. Cal. July 7, 2023). Here, Defendants obtained complete
24 victory, and the Court has determined that Plaintiff’s lawsuit was objectively
25 unreasonable and frivolous. Accordingly, a fee award in this case is justified in
26 order to deter Plaintiff, and those similarly situated, from prosecuting meritless
27 copyright infringement claims.
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1 **2. Defendant 1400 Entertainment**

2 **(i) “Frivolousness” and “Objective Reasonableness”**

3 The Court previously denied Plaintiff’s motion for default judgment against
4 1400 Entertainment, explaining that the “remaining Defendants cannot be found
5 liable for copyright infringement as alleged in the Complaint because the Court
6 has already found that no infringement occurred.” (Dkt. No. 131 at 1.)
7 Accordingly, further action against 1400 Entertainment was frivolous and
8 objectively unreasonable following the Court’s MSJ Order and the Court exercises
9 its discretion to award fees.

10 **(ii) Motivation**

11 Plaintiff’s motion for default judgment and oppositions to Responding
12 Party’s Motion to Set Aside and Motion to Dismiss were not filed for proper
13 motives as Plaintiff should have surmised “[t]hrough his own research and reading
14 of the Court’s Summary Judgment [Order], ...that obtaining default judgments
15 against Remaining Defendants was untenable.” (Dkt. No. 136-1 at 8.) Further,
16 Plaintiff was on notice that binding Ninth Circuit precedent precluded default
17 judgement against 1400 Entertainment through its briefing. (*Id.*) (citing Dkt. No.
18 116, 1400 Entertainment’s Opposition to Motion for Default Judgment)
19 (“‘[W]here a complaint alleges the defendants are jointly liable [and the] action
20 against the answering defendants is decided in their favor, then the action should
21 be dismissed against both answering and defaulting defendants.’ *In re First T.D.*,
22 253 F.3d at 532 (citing *Frow v. De La Vega*, 82 U.S. 552 (1872))[.]”) Despite
23 being aware of contrary controlling authority, Plaintiff moved for default
24 judgments, refused to withdraw the motions, opposed 1400 Entertainment’s
25 motion to set aside, alleging he did not believe the Court addressed his
26 composition copyright claim. (Dkt. Nos. 136-1 at 8;140 at 1.) The Court’s MSJ
27 Order ruled “[t]he unrebutted evidence indicates that *Death* did not infringe on
28 Plaintiff’s copyright for the *House* musical composition. Therefore, summary

1 judgment in favor of Defendants is proper.” (MSJ Order at 8.) Accordingly, the
2 Court holds that this factor also favors an award of attorneys’ fees.

3 **(iii) Considerations of Compensation and Deterrence**

4 Defendants obtained complete victory, and the Court has determined that
5 Plaintiff’s lawsuit was objectively unreasonable and frivolous. Accordingly, a fee
6 award in this case is justified in order to deter Plaintiff, and those similarly
7 situated, from prosecuting meritless copyright infringement claims. Accordingly,
8 this factor weighs in favor of Defendant’s Motion.

9 **B. Whether the Amount Requested is Reasonable**

10 The Court reviewed each factor and found the factors weighed in favor of
11 awarding fees. Accordingly, the Court now turns to whether the amount requested
12 by each Defendant is reasonable.

13 **1. Attorneys’ Fees**

14 Defendant TenThousand seeks \$391,578.10 in attorneys’ fees, which
15 represents 565.5 hours of work that was billed over a period of four years by their
16 attorneys and support staff while defending this lawsuit, and the charges made
17 (\$4,231.50) in conjunction with drafting and defending this motion. (Anderson
18 Decl. ¶¶ 21-24; Dkt. No. 144.) In sum, the law firm that represented Defendant
19 TenThousand staffed the case primarily with partner Peter Anderson and associate
20 Peter Bae. (Anderson Decl. ¶ 14.) Mr. Anderson also had assistance from other
21 past or current associates at his firm, including Arleen Fernandez, Michael
22 Kolvek, and Farrah Vasquez. (*Id.* ¶¶ 15.) These attorneys respectively charged the
23 following hourly rates: \$740 and then \$795 per hour, and \$587 per hour.
24 (Anderson Decl. ¶¶ 13-14.) Both Mr. Anderson and Mr. Bae discounted their
25 rates for their services in this matter. (*Id.*) Mr. Anderson has practiced
26 entertainment and copyright litigation since April 1980, including leading all
27 aspects of pleading, discovery, law and motion and appellate briefing, and arguing
28 cases before the Ninth Circuit, the Second Circuit and the United States Supreme

1 Court. (*Id.* ¶¶ 7-9.) He has extensive experience litigating such cases and
2 presenting on the practice area. (*Id.* ¶¶ 10-12.) Mr. Anderson and his legal team
3 provided legal services in this action including, preparing dispositive and
4 responsive motions, participating in the Court’s conferences, discovery,
5 depositions, negotiations and conferences with opposing counsel, and appearance
6 before the Court. (*Id.* ¶¶ 25-26.) The law firm’s paralegal and litigation operations
7 team also assisted Mr. Anderson in this matter, including paralegal Ben Planchon
8 (\$374 per hour), research librarians Jason Coller (\$400 per hour), Jennifer Dollar
9 (\$400 per hour), Bret Masterson (\$479 per hour), and document clerk Manda
10 Feuerman (\$125 per hour). (Anderson Decl. ¶ 16.) Courts in the Ninth Circuit
11 have disallowed hours for “clerical, secretarial and similar routine work” when
12 analyzing the reasonableness of requested attorneys’ fees. *See Keith v. Volpe*, 644
13 F. Supp. 1317, 1323 (C.D. Cal. 1986), *aff’d*, 858 F.2d 467 (9th Cir. 1988). Here,
14 Plaintiff does not oppose the work of Defendant TenThousand’s litigation
15 operations team. Having reviewed Defendant TenThousand’s invoices for the
16 litigation, the Court finds the work performed by the litigation operations team
17 was substantive in nature, with the exception of the firm’s document clerk, Ms.
18 Feuerman who billed \$172.50 of clerical work. (Dkt. No. 135-4, Ex. 2 at 195-96.)
19 Accordingly, the Court disallows \$172.50 from the fees requested.

20 Defendant TenThousand also requests that \$121,490.10 of the firm’s total
21 attorneys’ fees be awarded against Plaintiff’s counsel, Carlee McCullough,
22 pursuant to 28 U.S.C. § 1927 as that amount was incurred after Ms. McCullough
23 continued to pursue Plaintiff’s claims following the Court’s grant of Defendant’s
24 Motion for Summary Judgment. (Anderson Decl. ¶¶ 27, 28(d).) 28 U.S.C. § 1927
25 provides “[a]ny attorney ... admitted to conduct cases in any court of the United
26 States ... who so multiplies the proceedings in any case unreasonably and
27 vexatiously may be required by the court to satisfy personally the excess costs,
28 expenses, and attorneys’ fees reasonably incurred because of such conduct.” A

1 “district court’s authority to sanction attorneys under §1927 and its inherent
2 disciplinary power must be exercised with restraint and discretion.” *Lahiri v.*
3 *Universal Music and Video Distribution Corp.*, 606 F.3d 1216, 1223 (9th Cir.
4 2010) (holding district court did not abuse discretion in awarding reasonable fees
5 and costs when the record demonstrated by clear and convincing evidence plaintiff
6 engaged in a pattern of bad faith litigation conduct over an extended time period.)

7 The Court exercises its discretion to impose sanctions under §1927 based on
8 its findings that Plaintiff acted with recklessness and bad faith by repeatedly
9 misrepresenting the Court’s MSJ Order addressing both copyright claims (*see* Dkt.
10 Nos. 139 at 3-4, 140 at 1; MSJ Order at 5, 8), misrepresenting the holdings of
11 certain cases, and citations to a case the Court cannot find (*see* Dkt. No. 139 at 7
12 (citing *Kourtis v. Cameron*, 419 F.3d 989 (9th Cir. 2005) and *Zamboanga v. Rice*,
13 2022 WL 4585734 (E.D. Cal. Sept. 29, 2022)),¹ and citing to third-party
14 settlements, which are not admissible under Fed. R. Evid. 408. *See Fink v.*
15 *Gomez*, 239 F.3d 989, 993–94 (9th Cir.2001) (attorney's reckless misstatements of
16 law and fact, combined with an improper purpose, are sanctionable under the
17 court's inherent power).

18 Defendant 1400 Entertainment seeks \$32,042.50 in attorneys’ fees, which
19 represents 59.5 hours of work that was billed by their attorneys while defending
20 this lawsuit. (Dkt. No. 136-1 at 10; Martorell Decl. ¶ 4.) In sum, the law firm that
21 represented Defendant 1400 Entertainment staffed the case with partner Eduardo
22 Martorell, and three associates, Justin T. Battle, Christopher A. Rosario, and Erica
23 Stephanian. (*Id.*) These attorneys respectively charged the following hourly rates:
24

25 ¹ At the hearing on the Motion, Plaintiff’s counsel did not have any knowledge of
26 the citation issues in her brief. Defendants stated they were able to locate
27 *Zamboanga* on PACER, but “it is not a copyright infringement case. It does not
28 have any decision in it ... it was a pro se filing that was dismissed. . . So I don’t
believe counsel answered the question of whether AI generated the reply...but that
seems to be the case.”

1 \$595, \$375, \$395, and \$275 per hour. (*Id.*)

2 The Ninth Circuit has specified that “[d]espite a district court's discretion in
3 determining the amount of a fee award, it must calculate awards for attorneys' fees
4 using the lodestar method.” *Camacho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 982
5 (9th Cir.2008) (citation and internal quotation marks omitted). The lodestar figure
6 is calculated by “multiplying the number of hours the prevailing party reasonably
7 expended on the litigation by a reasonable hourly rate.” *Id.* at 978. Thus, the
8 amount of attorneys' fees “must be [based] on the facts of each
9 case.” *Id.* (citing *Hensley v. Eckerhart*, 461 U.S. 424, 429 (1983)). While in most
10 cases the lodestar figure is “presumptively reasonable,” in rare cases a district
11 court “may make upward or downward adjustments to the presumptively
12 reasonable lodestar on the basis of those factors set out in *Kerr v. Screen Actors*
13 *Guild, Inc.*, 526 F.2d 67, 69–70 (9th Cir.1975), that have not been subsumed in the
14 lodestar calculation.” *Id.* at 982 (quoting *Gates v. Deukmejian*, 987 F.2d 1392,
15 1402 (9th Cir.1992)). Here, the Court finds that defense counsel’s fees are
16 reasonable based on their discounted rates and work performed.

17 2. Costs

18 Section 505 of the Copyright Act provides “the court in its discretion may
19 allow the recovery of full costs by or against any party other than the United
20 States or an officer thereof.” 17 U.S.C. § 505. Here, Defendant TenThousand
21 requests costs for depositions taken in the case in the amount of \$3,862.45. (Dkt.
22 Nos. 133, 133-1.) The costs include transcript services, exhibit processing,
23 delivery of encrypted files, and video proceedings as detailed in the invoice
24 provided. (Dkt. No. 133-1.) Section 505 of the Copyright Act is silent as to what is
25 included in “full costs.” However, because Section 505 authorizes the Court to use
26 its discretion, the Court interprets “full costs” to include costs incurred for the
27 taking of depositions pursuant to Local Rule 54-3.5.

28 IV. CONCLUSION

1 Accordingly, the Court **GRANTS** Defendants motion for an award of
2 \$391,405.60 in attorneys' fees, \$121,490.10 to be paid by Plaintiff's Counsel, and
3 \$3,862.45 in costs to be paid by Plaintiff to Defendant TenThousand and \$32,042.50
4 in attorneys' fees to Defendant 1400 Entertainment pursuant to §505 of the
5 Copyright Act.

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7 **IT IS SO ORDERED.**

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9 DATED: October 16, 2025.

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11 **CONSUELO B. MARSHALL**
12 **UNITED STATES DISTRICT JUDGE**
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