

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

MICHAEL E. MANN, Ph.D.,
Plaintiff,

v.

NATIONAL REVIEW, INC., et al.,
Defendants.

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2012 CA 008263 B
Judge Jennifer M. Anderson
Civil I, Calendar 3
Status Hearing: June 22, 2020

**ORDER GRANTING DEFENDANTS COMPETITIVE ENTERPRISE INSTITUTE’S
AND RAND SIMBERG’S MOTION FOR PAYMENT OF EXPENSES**

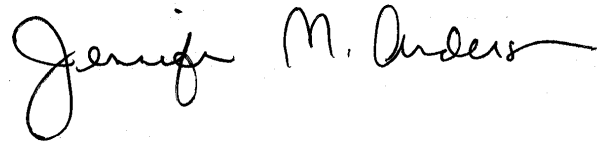
The matter before the Court is upon the consideration of Defendants Competitive Enterprise Institute (“CEI”)’s and Rand Simberg’s Motion for Payment of Expenses filed on May 15, 2020; Defendants’ counsel’s declaration of expenses in the amount of \$12760.26 (attached to the Motion); and Plaintiff Michael Mann’s Opposition filed on May 29, 2020.

Pursuant to Superior Court Civil Rule 37(a)(5), if a motion for order compelling discovery is “granted in part and denied in part, the court may ... after giving an opportunity to be heard, apportion the reasonable expenses for the motion.” In the Order issued on May 5, 2020, the Court granted the vast majority of Defendant’s requests albeit shortening the requested 15- year discovery period by two years and excluding two document production requests out of a dozen. Plaintiff’s objection to the vast majority of the discovery was not warranted because Defendants’ requests were directly related to what was in the Complaint. Therefore, the Court finds it reasonable to award Defendants 75% of its attorneys’ fees and all of its costs incurred in litigating the Motion to Compel Discovery. The Court further finds that the fees, as charged, are reasonable.

Accordingly, it is this 22nd day of June 2020 hereby

ORDERED that Defendants Competitive Enterprise Institute’s and Rand Simberg’s Motion for Payment of Expenses is **GRANTED**. It is further

ORDERED that Defendants are awarded the expenses in connection with the motion to compel discovery in the amount of 9588.64.



Judge Jennifer M. Anderson
Signed in Chambers

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