

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

YASHA L. STERLING,)	
)	09 C 1288
Plaintiff,)	
)	Judge Lefkow
)	
v.)	
)	
BLATT, HASENMILLER, LIEBSKER)	
& MOORE, LLC,)	
)	
Defendant.)	

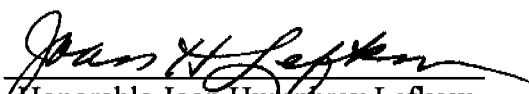
ORDER OF JUDGMENT

Based on the acceptance by Plaintiff Yasha L. Sterling of the Fed. R. Civ. P. ("Rule") 68 Offer of Judgment made by Defendant Blatt, Hasenmiller, Liebsker & Moore, LLC, **IT IS HEREBY ORDERED:**

1. Judgment is entered in favor of Yasha L. Sterling and against Defendant Blatt, Hasenmiller, Liebsker & Moore, LLC in the amount of \$2,500 as her statutory and actual damages;
2. In accordance with the Defendant's Rule 68 Offer of Judgment, Plaintiff is entitled to an award of a reasonable attorney's fee and costs to be determined by this Court;
4. The Court has been informed that the Plaintiff's counsel has presented Defendant's counsel materials in support of a reasonable attorney's fee and costs pursuant to Local Rule 54.3 seeking \$2,670 in attorney's fees for 8.9 hours at \$300 per hour and \$410 in costs. The Court has been informed that Defendant does not object to Plaintiff's request for a reasonable attorney's fee and costs above;
5. Judgment is entered in favor of Yasha L. Sterling and against Defendant Blatt, Hasenmiller, Liebsker & Moore, LLC for a reasonable attorney's fee in the amount of \$2,670 for 8.9 hours at \$300 per hour and \$410 in costs pursuant to 15 U.S.C. § 1692k(a)(3);

6. Defendant's motion for a second extension of time to answer Plaintiff's Complaint is denied as moot; and

7. The April 23, 2009, initial status date and presentment of Defendant's motion is stricken.

ENTERED: 
Honorable Joan Humphrey Lefkow
United States District Court Judge

DATE: 4-23-09

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**PLAINTIFF’S ACCEPTANCE OF DEFENDANT’S
RULE 68 OFFER OF JUDGMENT**

NOW COMES, Plaintiff Yasha L. Sterling (“Plaintiff”), by and through her counsel and hereby gives written notice of her acceptance of Defendant Blatt, Hansenmiller, Liebsker & Moore, LLC’s (“Defendant”) Rule 68 Offer of Judgment, as follows:

1. Plaintiff accepts Defendant’s offer of judgment in the amount of \$2,500 as her statutory and actual damages.
2. Plaintiff accepts Defendant’s offer of judgment of reasonable attorney’s fees and costs to be determined by the court pursuant to 15 U.S.C. § 1692k
3. Defendant’s Rule 68 Offer of Judgment states, “Nothing herein shall be construed as an admission of liability.”
4. “Plaintiffs who accept Rule 68 offers accept the *money*, not the defendants’ self-serving characterizations.” *Fletcher v. City of Fort Wayne*, 162 F.3d 975, 977 (7th Cir. 1998) (original emphasis) (rejecting the defendant’s argument that, “This offer is not to be construed as an admission that the Defendants are liable in this action or that Plaintiff suffered any damages” as the “magic words that preclude awards of attorneys’ fees. . .”).

5. A copy of Defendant's Rule 68 Offer of Judgment is attached hereto as Appendix 1.

WHEREFORE, Plaintiff requests:

a. That the Clerk of the Court to enter a Judgment in this matter against Defendant and for Plaintiff in the amount of \$2,500; and

b. For upon petition by Plaintiff for the Court to determine and enter an award of a reasonable attorney's fee and costs.

Respectfully submitted,

s/ Curtis C. Warner
Curtis C. Warner

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