

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ELECTRONIC PRIVACY
INFORMATION CENTER

Plaintiff,

v.

FEDERAL TRADE COMMISSION

Defendant.

Civil Action No. 18-942 (TJK)

**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT ON
ATTORNEY’S FEES AND COSTS**

Under Federal Rules of Civil Procedure 56(a) and 54(d) and 5 U.S.C. § 552(a)(4)(E)(i), Plaintiff Electronic Privacy Information Center (“EPIC”) moves for partial summary judgement on EPIC’s eligibility and entitlement to an award of attorney’s fees in the above-captioned matter.¹ EPIC submits the accompanying memorandum of points and authorities, with attached exhibits, in support of this motion. There are no material facts in dispute and EPIC is eligible and entitled to recover fees as a matter of law, the Court should accordingly grant EPIC’s motion and order the parties to attempt to reach a settlement on the amount of EPIC’s reasonable fee award.

¹ The parties have agreed to first seek resolution of the eligibility and entitlement issues. Following the Court’s resolution of EPIC’s motion, the parties will seek to reach an agreement on the amount of a reasonable fee award.

November 22, 2019

Respectfully Submitted,

MARC ROTENBERG (DC Bar # 422825)
EPIC Executive Director

/s/ Alan Jay Butler

ALAN JAY BUTLER (DC Bar #1012128)
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