

The Honorable Tiffany M. Cartwright

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Y.M.M.,

Petitioner,

v.

Laura HERMOSILLO,

Respondents.

Case No. 2:25-cv-02075-TMC

**PETITIONER'S REPLY IN SUPPORT
OF HER MOTION FOR
ATTORNEY'S FEES AND COSTS**

Noting Date: February 25, 2026

1 **INTRODUCTION**

2 In response to Petitioner Y.M.M.’s request for fees under the Equal Access to Justice Act
3 (EAJA), 28 U.S.C. § 2412, Respondents dispute certain time entries as inappropriate or not
4 compensable and object to the rate requested for paralegal work. However, they do not challenge
5 Petitioner’s entitlement to fees for the time reasonably expended challenging Respondents’
6 unlawful re-detention of her in August 2025. Dkt. 20 at 1. Petitioner thus respectfully requests
7 that the Court grant her request for EAJA fees with only minor reductions as addressed below.

8 **ARGUMENT**

9 First, Respondents object to time entries related to filing the pleadings and traverse in this
10 case. *See* Dkt. 20 at 2. Although some courts have found that time spent filing documents can be
11 compensable, *see Peters v. Colvin*, No. 15-CV-5198-JRC, 2016 WL 948958, at *5 (W.D. Wash.
12 Mar. 14, 2016) (finding that “time incurred . . . filing items with the Court is reasonable”),
13 Petitioner agrees to a 0.1-hour reduction for each entry that includes the clerical task of filing:
14 attorney Glenda Aldana’s 0.3-hour entry for coordinating the filing with paralegal Sydney
15 Maltese and redacting the I-213, her 1.3-hour entry for a final review and filing of the petition,
16 and attorney Amanda Ng’s 0.4-hour entry for final edits to the traverse and filing. These entries
17 also included substantive review, and time spent finalizing documents for filing is compensable.
18 *See Abrams v. Sequium Asset Sols., LLC*, No. 21-CV-05374-LK, 2023 WL 2757195, at *11
19 (W.D. Wash. Mar. 31, 2023) (finding that time spent finalizing a motion was not a clerical task,
20 as “finalizing court filings is legal in nature and generally requires legal knowledge to perform
21 correctly” (citation modified)). Therefore, the time these attorneys spent on these tasks should
22 only be partially reduced to account for time spent filing.

23 The court, however, should award paralegal Maltese’s 1.3-hour entry for preparing the
24 civil cover sheet, summonses, and declaration for introducing supporting exhibits in full. Indeed,

1 Respondents themselves cite authority confirming that such time is compensable. *See Teague v.*
2 *Comm’r of Soc. Sec.*, No. 3:19-CV-05727-JRC, 2020 WL 3077149, at *2 (W.D. Wash. June 10,
3 2020) (declaring that “the Court disagrees with defendant that time spent preparing the complaint
4 and summons is non-compensable” and awarding fees for time spent on those tasks). Maltese’s
5 time should thus be compensated in full.

6 Second, Respondents object to three time entries by attorneys Ng and Leila Kang,
7 arguing that they are “duplicative” or “unnecessary.” Dkt. 20 at 1. That Ng entered two time
8 entries concerning editing the traverse and her notice of appearance does not render them
9 duplicative—both entries are from the same date and indicate, if anything, careful and
10 considerate timekeeping reflecting that these tasks were not completed in one sitting but were
11 split up into two discrete sessions. The entries do not even add up to one hour, further
12 demonstrating thoughtful, rather than duplicative, timekeeping. As for Kang’s review of the case
13 docket, this was logged on the same date as her edits to the traverse, indicating that the tasks
14 were related, especially as Kang had not previously done substantive work on the case. *See* Dkt.
15 18-1. Editing a traverse undoubtedly requires “legal knowledge to perform correctly.” *Abrams*,
16 2023 WL 2757195, at *11 (citation omitted). Because these time entries are neither duplicative
17 nor unnecessary, the court should not deduct them from the fee award.

18 Finally, Respondents acknowledge that prevailing market rates apply to paralegal work,
19 Dkt. 20 at 3, and the requested rate of \$ 255 per hour reflects the prevailing market rate as
20 established by the Fitzpatrick Matrix, developed and maintained by the U.S. Attorney’s Office
21 for the District of Columbia, *see* U.S. Attorney’s Office for the District of Columbia, Civil
22 Division, The Fitzpatrick Matrix, at 1, <https://www.justice.gov/usao-dc/media/1395096/dl?inline>
23 (last visited Feb. 24, 2026) (PDF on file with counsel). The Matrix is “intended for use in cases
24 in which a fee-shifting statute permits the prevailing party to recover ‘reasonable’ attorney’s

1 fees,” including EAJA, *id.* at 2, and thus provides an appropriate benchmark for prevailing
2 market rates for complex federal litigation. This Court and others in this district have previously
3 awarded fees for Petitioner’s counsel based on the rates reflected by the Fitzpatrick Matrix. *See*
4 *Cardozo v. Bostock*, Case No. 2:25-cv-00871-TMC (W.D. Wash.), Dkts. 31-1 (showing
5 requested paralegal rate of \$ 236, consistent with Fitzpatrick Matrix for work performed in
6 2024), 34 at 6 (granting requested fee award);¹ *Parada Calderon v. Bostock*, Case No. 2:24-cv-
7 01619-MJP (W.D. Wash.), Dkts. 22-2, 28-2, 29 at 4 (similarly granting award for paralegal work
8 at hourly rate of \$ 236, consistent with Fitzpatrick Matrix). Respondents rely on rates under the
9 Criminal Justice Act (CJA) as a benchmark and a 2018 case awarding a similar rate, but those
10 sources fail to establish the prevailing market rate. *See, e.g., Kelly v. Wengler*, 822 F.3d 1085,
11 1103 (9th Cir. 2016) (observing that “actual prevailing rates are very unlikely to be as low” as
12 the rate used in Prison Litigation Reform Act cases, derived from CJA rates). The Court should
13 therefore award the compensable paralegal fees at the requested rate of \$ 255 per hour.

14 **CONCLUSION**

15 Y.M.M. accordingly respectfully requests that this Court grant her requested fees and
16 costs in the amount of \$10,829.92.²

17 DATED this 25th of February, 2026.

18 s/ Matt Adams
19 Matt Adams, WSBA No. 28287
matt@nwirp.org

s/ Leila Kang
Leila Kang, WSBA No. 48048
leila@nwirp.org

20 s/ Glenda M. Aldana Madrid
21 Glenda M. Aldana Madrid,

s/ Aaron Korthuis
Aaron Korthuis, WSBA No. 53974

22 ¹ At the time of filing, counsel used the 2024 hourly rate for paralegal work done in 2025
23 as the Ninth Circuit had not yet posted EAJA hourly rates for 2025.

24 ² This amount includes fees incurred in preparing this reply as well as some fees
inadvertently omitted previously, and deducts 0.3 hours to account for the time entries that
included filing time (*see supra* p.1). Third Aldana Madrid Decl. ¶¶ 3–4; *id.* Exs. A–B.

1 WSBA No. 46987
glenda@nwirp.org

aaron@nwirp.org

2 s/ Amanda Ng

3 Amanda Ng, WSBA No. 57181
amanda@nwirp.org

4 NORTHWEST IMMIGRANT RIGHTS PROJECT

5 615 Second Ave., Suite 400

Seattle, WA 98104

6 (206) 957-8611

7 *Counsel for Petitioner*

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WORD COUNT CERTIFICATION

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I certify that this memorandum contains 941 words, in compliance with the Local Civil Rules.

DATED this 25th day of February, 2026.

s/ Glenda M. Aldana Madrid
Glenda M. Aldana Madrid
Northwest Immigrant Rights Project
615 Second Avenue, Suite 400
Seattle, WA 98104
(206) 957-8646
(206) 587-4025 (fax)
glenda@nwirp.org