

IN THE UNITED STATES COURT FOR THE DISTRICT OF IDAHO

HOMESTREET BANK, a Washington
chartered savings bank,

Plaintiff,

vs.

LOUIS J. STEINER, individually; STEINER
DEVELOPMENT, LLC, an Idaho limited
liability company; ROBERT M. CHAVEZ,
individually; and RMC CONSTRUCTION,
LLC, an Idaho limited liability company,

Defendants.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 09-CV-113 BLW

Case No. 09-CV-116 BLW

This matter is before the court on Plaintiff Homestreet Bank's motion for attorney's fees. The motion was referred to United States Magistrate Judge Samuel Alba, sitting by special designation, pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Alba conducted a hearing on February 22, 2010, because the Defendants disputed the amount of attorney's fees requested by Plaintiff.¹ On March 11, 2010, Judge Alba issued his Report and Recommendation recommending Defendants pay \$12,500 to Plaintiff by April 1, 2010, and that the payment of the fees be divided

¹The hearing dealt with Plaintiff's motion for attorneys fees in two separate cases that were consolidated only for purposes of determining the amount of attorneys's fees: Homestreet Bank v. Louis J. Steiner, individually, and Steiner Development, LLC, an Idaho limited liability company, Case No. 09-CV-113 BLW, and Homestreet Bank v. Robert M. Chavez, individually, and RMC Construction, LLC, an Idaho limited liability company, Case No. 09-CV-116 BLW.

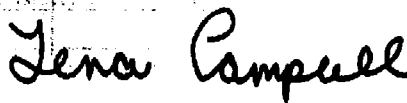
evenly between the two sets of Defendants: Mr. Steiner and Steiner Development, LLC shall pay \$6,250 (50 percent of \$12,500), and Mr. Chavez and RMC Construction, LLC shall pay \$6,250 (50 percent of \$12,500).

The parties were given fourteen days to file objections to the Report and Recommendation. No objections have been filed.

The court has fully considered, *de novo*, the file in this case including Judge Alba's Report and Recommendation, and finds that Judge Alba's conclusions are correct in all respects. The Report and Recommendation is adopted in its entirety as the order of the court: Defendants Mr. Steiner and Steiner Development, LLC shall pay \$6,250 to Plaintiff, and Defendants Mr. Chavez and RMC Construction, LLC shall pay \$6,250 to Plaintiff.

SO ORDERED this 11th day of May, 2010.

BY THE COURT:



TENA CAMPBELL
District Court Judge