

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STATE OF WISCONSIN,

Plaintiff,

ORDER

05-C-408-C

v.

ABBOTT LABORATORIES, AMGEN, INC.,
ASTRAZENECA PHARMACEUTICALS, LP,
ASTRAZENECA, LP, AVENTIS PHARMACEUTICALS, INC.,
AVENTIS BEHRING, LLC., BAXTER INTERNATIONAL, INC.,
BAYER CORPORATION, BOEHRINGER INGELHEIM
CORPORATION, BRISTOL-MYERS SQUIBB CO.,
DEY, INC., GENSLA SICOR PHARMACEUTICALS, INC.,
GLAXOSMITHKLINE, INC., JOHNSON &
JOHNSON, INC., PFIZER, INC., PHARMACIA,
SCHERING-PLOUGH CORPORATION, TAP
PHARMACEUTICAL PRODUCTS, INC., WATSON
PHARMACEUTICALS, INC., BEN VENUE
LABORATORIES, INC., BOEHRINGER INGELHEIM
PHARMACEUTICALS, INC., IMMUNEX CORPORATION,
IVAX CORPORATION, IVAX PHARMACEUTICALS, INC.,
JANSSEN PHARMACEUTICAL PRODUCTS, LP,
McNEIL-PPC, INC., MERCK & COMPANY, INC.,
MYLAN LABORATORIES, INC., MYLAN PHARMACEUTICALS
CORPORATION, NOVARTIS PHARMACEUTICALS
CORPORATION, ORTHO BIOTECH PRODUCTS, LP,
ORTHO-McNEIL PHARMACEUTICAL, INC.,
ROXANE LABORATORIES, INC., SANDOZ, INC.,
GENEVA PHARMACEUTICALS, INC., SMITHKLINE
BEECHAM CORPORATION, TEVA PHARMACEUTICAL
INDUSTRIES, LTD., WARRICK PHARMACEUTICALS
CORPORATION and WATSON PHARMA, INC.,

Copy of this document has been
provided to: conse

this 23rd day of Nov 2005
by S. Vogel

S. Vogel, Secretary to
Judge Barbara B. Crabb

Defendants.

In an opinion and order dated September 29, 2005, I granted plaintiff State of Wisconsin's motion to remand this case to state court. Also, I granted plaintiff's request for reimbursement of costs and attorney fees it incurred in opposing defendants' attempt to remove this case to federal court. I gave plaintiff until October 10, 2005, in which to file an itemized statement of the fees and costs it had incurred in opposing removal of this case. Defendants were given until October 17, 2005, in which to file any opposition to the itemization. Plaintiff has filed its itemization and defendants have filed no objection.

Plaintiff has requested a total of \$50,730.52, to be distributed as follows: \$48,755.52 for the law firm of Miner, Barnhill & Galland, P.C. in costs and attorney fees; \$805.00 for co-counsel Michael Winget-Hernandez; and \$1,170.00 for the Wisconsin Department of Justice. Plaintiff has submitted an affidavit from William P. Dixon, an attorney at Miner, Barnhill & Galland, that sets forth the hourly rates charged by the attorneys who represented plaintiff and the number of hours worked. I find the hourly fees reasonable and the number of hours worked appropriate. Because defendants have not objected, I will award plaintiff the full amount it has requested.

ORDER

IT IS ORDERED that plaintiff State of Wisconsin is awarded attorney fees and costs

in the amount of \$50,730.52.

Entered this 22nd day of November, 2005.

BY THE COURT:

Barbara B. Crabb
BARBARA B. CRABB
District Judge