

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

SKF USA INC.,)	
)	
Plaintiff,)	Case No. 08 CV 4709
)	
v.)	Consolidated with
)	Case No. 09 CV 2232
DALE H. BJERKNES, <i>et al</i> ,)	
)	
Defendants.)	Judge Pallmeyer
)	Magistrate Judge Denlow
<hr style="width: 50%; margin-left: 0;"/>)	
SKF USA INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
EQUIPMENT RELIABILITY SERVICES, INC.,)	
)	
Defendant.)	

SKF’S FEE PETITION, PURSUANT TO LOCAL RULE 54.3

Plaintiff SKF USA Inc. (“SKF”), pursuant to this Court’s August 9, 2010 Memorandum Opinion and Order (D/E 164) and Local Rule 54.3, respectfully moves this Court to enter an award of attorneys fees and non-taxable costs in favor of SKF in the amount of \$1,299,579.60.

In support of this Fee Petition, SKF states as follows:

1. On August 9, 2010, this Court entered final judgment, from which defendants have not appealed, in favor of SKF. This Court found that defendants’ conduct was “willful and malicious” within the meaning of the Illinois Trade Secrets Act and ordered defendants to pay SKF’s reasonable attorney fees for prosecuting the trade secret claim, pursuant to 765 ILCS 1065/5.

2. SKF seeks attorney fees from the outset of this matter in July, 2008 through the August, 2010 final judgment in the amount of \$1,059,747.55. SKF also seeks \$192,827.61 for expense items not included in the previously submitted Bill of Costs. The amount of fees and costs sought by SKF are reasonable, and were necessarily incurred in the successful prosecution of SKF's trade secrets claim.

3. SKF is also entitled to recover its fees in connection with pursuing this Fee Petition and previously filed Bill of Costs. As of September 2009, SKF had incurred \$47,004.50 in attorney fees for time spent establishing and negotiating SKF's rightful claim to attorneys fees and costs. SKF will later supplement this Fee Petition with attorneys fees incurred after September 2009 through the conclusion of the Local Rule 54.3 process.

4. The bases for this Fee Petition are fully set forth in the accompanying memorandum of law filed contemporaneously herewith and incorporated by reference herein.

WHEREFORE, SKF requests that this Court grant its Fee Petition and enter an Order (1) granting judgment in favor of SKF and against defendants jointly and severally in the amount of \$1,299,579.60 representing SKF's fees and non-taxable costs through September 2009, pursuant to Local Rule 54.3; (2) awarding SKF's attorneys fees incurred after September 2009 in an amount to be established at the conclusion of this matter; and (3) granting such further relief as the Court deems necessary and proper.

Dated: October 25, 2010

SKF USA INC.

By: s/ Ernesto R. Palomo
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Ernesto R. Palomo, the undersigned attorney, certify that on this 25th day of October, 2010, I filed the foregoing **SKF'S FEE PETITION, PURSUANT TO LOCAL RULE 54.3** with the Clerk of Court via the CM/ECF system, which sent notification of such filing to the following:

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s/ Ernesto R. Palomo
Ernesto R. Palomo