

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

RONALD B. KILLETTE; NORTH STATE  
MUSIC; RONALD B. KILLETTE, III;  
SUN COAST MUSIC; KAREN FAITH  
KILLETTE,

*Plaintiffs,*

v.

DRIVE-IN MUSIC COMPANY,  
INCOPORATED,

*Intervenor/Plaintiff-  
Appellant,*

and

E. WAYNE PITTMAN,

*Defendant-Appellee.*

No. 01-1543

Appeal from the United States District Court  
for the District of South Carolina, at Columbia.  
Matthew J. Perry, Jr., Senior District Judge.  
(CA-91-8)

Argued: April 4, 2002

Decided: April 29, 2002

Before WILKINSON, Chief Judge, and WILLIAMS  
and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

**ARGUED:** R. Jeffrey Kelleher, LAW OFFICES OF ALLEN HYMAN, North Hollywood, California, for Appellant. Ira George Greenberg, EDWARDS & ANGELL, L.L.P., New York, New York, for Appellee. **ON BRIEF:** Allen Hyman, LAW OFFICES OF ALLEN HYMAN, North Hollywood, California, for Appellant.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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**OPINION**

PER CURIAM:

Drive-In Music Company, Inc. appeals from the district court's award of attorneys' fees to E. Wayne Pittman pursuant to 17 U.S.C.A. § 505 (West 1996), the Copyright Act's fee-shifting provision. The district court awarded Pittman a total of \$277,980 in attorneys' fees.\* Drive-In contends that the district court erred in various respects in determining the amount of the fee award. Having had the benefit of oral argument and having carefully considered the parties' briefs, the record, and the relevant legal authority, we conclude that the district court correctly resolved the issues before it. *See Drive-In Music Co. v. Killette*, No. 3:91-0008 (D.S.C. Mar. 19, 2001) (order granting attorneys' fees for work performed by Pittman's lead counsel); *Drive-In Music Co. v. Killette*, No. 3:91-0008 (D.S.C. Mar. 19, 2001) (order

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\*The facts of the underlying litigation are reproduced in this court's prior opinions in this case. *See Drive-In Music Co. v. Killette*, Nos. 98-2666, 98-2724, 2000 WL 432365 (4th Cir. April 20, 2000) (unpublished) (affirming the district court's disposition of the merits and holding that the district court possessed discretion to grant Pittman an award of attorneys' fees); *Killette v. Pittman*, No. 96-1827, 1997 WL 657005 (4th Cir. October 22, 1997) (unpublished) (holding that settlement agreement between two of the parties was binding and reversing a judgment against Pittman on a slander-of-title claim).

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granting attorneys' fees for work performed by Pittman's local counsel). Accordingly, we affirm on the reasoning of the district court.

*AFFIRMED*