

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT

7

FOR THE DISTRICT OF ARIZONA

8

9

TINA ROBBINS AND DAVID)  
ROBBINS,

No. CV 07-0495-PHX-JAT

10

Plaintiffs,

**ORDER**

11

vs.

12

13

ARIZONA FOOTHILLS REALTY, INC.,)

14

Defendant.

15

16

17

Plaintiffs Tina and David Robbins have moved to confirm an arbitration award in their favor. (Doc. #19.) Although Defendant Arizona Foothills Realty, Inc. does not oppose confirmation of the arbitration award, it does oppose Plaintiffs' additional request for post-award attorney's fees. (Doc. #20.) Having reviewed the parties' submissions, the Court rules as follows.

22

On July 16, 2007, this Court, having received and considered the parties' Stipulation, dismissed Plaintiffs' Complaint against Defendant and Defendant's Counterclaim against Plaintiffs. (Doc. #18.) The Court retained jurisdiction over the action to confirm (if appropriate) any arbitration award ultimately entered in the dispute. On August 13, 2008, the Arbitrator entered an award in favor of Plaintiffs and against Defendant consisting of \$50,000.00 in compensatory damages, \$33,245.62 in attorney's fees, and \$8,799.03 in costs, for a total amount of \$92,044.65. Plaintiffs now move to confirm the arbitrator's award and

28

1 request post-arbitration attorney's fees "for confirming and collecting the Arbitrator's  
2 Award." Plaintiffs' Motion to confirm the award is not opposed, and the Court, therefore,  
3 will grant Plaintiffs' Motion. To the extent Plaintiffs seek additional attorney's fees,  
4 however, this Court concludes that Plaintiffs should file a separate motion for fees consistent  
5 with the Federal Rules of Civil Procedure and this Court's local rules.

6 Accordingly,

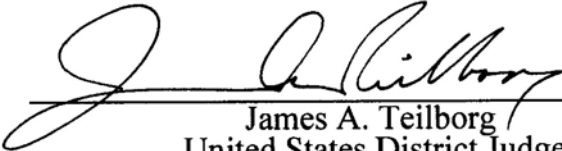
7 **IT IS HEREBY ORDERED** granting Plaintiff's Motion to Confirm the Arbitration  
8 Award (Doc. # 19);

9 **IT IS FUTHER ORDERED** that the Clerk shall enter judgment against Defendant  
10 Arizona Foothills Realty, Inc. and in favor of Plaintiffs Tina and David Robbins in the  
11 amount of \$92,044.65; and

12 **IT IS FURTHER ORDERED** denying Plaintiffs' request for post-award attorney's  
13 fees without prejudice at this time. Plaintiffs may file a motion for such fees pursuant to L.R.  
14 Civ. 54.2

15 DATED this 13<sup>th</sup> day of March, 2009.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
James A. Teilborg  
United States District Judge