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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

George H. Larson,

Plaintiff,

vs.

United Natural Foods West, Inc., et al.,

Defendants.

No. CV10-0185-PHX-DGC

ORDER

Plaintiff Larson filed an amended complaint in December 2009 asserting three claims: a violation of the Family Medical Leave Act against Defendant United Natural Foods West, Inc. (“UNFI”), disability discrimination in violation of the Americans with Disabilities Act and the Arizona Civil Rights Act against UNFI, and negligence on the part of Defendant Sysco. Doc. 35. On July 29, 2011, the Court granted summary judgment in favor of Defendants. Doc. 149.

UNFI filed a motion for attorneys’ fees on July 31, 2011 pursuant to 42 U.S.C. §§ 1988, 2000e-5(k), 12117, and 12205, and A.R.S. §§ 12-341, 12-341.01, 12-349, and 41-1481(J). Doc. 151. The motion has been fully briefed. Docs. 151, 159, 162, 163. On August 24, 2011, Plaintiff filed a notice of appeal to the Ninth Circuit. Doc. 156.

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IT IS ORDERED that UNFI's motion for attorneys' fees is **denied** without prejudice to re-filing upon resolution of Plaintiff's appeal.

Dated this 30th day of November, 2011.



David G. Campbell
United States District Judge