

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SA CV 14-01852-JVS (JDEx) Date October 7, 2021

Title Yellowstone Women's First Step House, Inc., et al v City of Costa Mesa

Present: The Honorable **James V. Selna, U.S. District Court Judge**

Deborah Lewman

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: [IN CHAMBERS] ORDER TO SHOW CAUSE RE ORDER REGARDING
MOTION TO RE TAX COSTS [573]**

On September 8, 2021, the Ninth Circuit affirmed in part and remanded in part for further proceedings with respect to this Court's award of costs. Yellowstone Womens First Step House, Inc. v. City of Costa Mesa, No. 19-56410 (Sept. 8, 2021). In particular, the Ninth Circuit directed this Court to reconsider its award in light of Green v. Mercy Housing, Inc., 991 F.3 1056 (9th Cir. 20210). Mercy Housing held that cost and attorney's fee to a prevailing defendant in a suit brought under the Fair Housing Act "should not be assessed . . . unless a court finds that [the] claim was frivolous, unreasonable, or groundless, or that the plaintiff continued to litigate after it clearly became so." (Id. at 1058; internal quotation marks omitted.)

In granting costs, this Court found that "Plaintiffs filed their action in good faith and . . . it had at least some merit." (Docket No. 573, p. 7.)

In light of Green and this Court's finding of "at least some merit," the Court orders the City of Costa Mesa to show cause in writing within seven days why the Court should not withdraw its Order at Docket No. 573.

Initials of Preparer

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