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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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GENERAL CHARLES "CHUCK"
YEAGER, (RET.), and GENERAL
CHUCK YEAGER FOUNDATION,

 Plaintiffs,

 v.

CONNIE BOWLIN, et al.,

 Defendants.

CIV. NO. 2:08-102 WBS CKD

ORDER

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Defendants request an award of expenses incurred to enforce this court's award of attorneys' fees and costs pursuant to California's Enforcement of Judgments Law, Cal. Civ. Proc. Code §§ 680.010, et seq. (Docket No. 223.) Plaintiff General Charles E. Yeager opposes the motion pro se. (Docket No. 228.)

The court understands defendants' motion to request fees and costs associated solely with the enforcement of the court's June 3, 2010 judgment. (See Defs.' Mem. at 3.)

1 Defendants say that judgment "has been collected in full." (Id.;
2 see also id. at 2 ("Yeager did pay Bowlins the balance of the
3 underlying judgment").)

4 These statements suggest the instant motion may be
5 untimely. See Cal. Civ. Proc. Code §§ 685.070(b) ("Before the
6 judgment is fully satisfied but not later than two years after
7 the costs have been incurred, the judgment creditor claiming
8 costs under this section shall file a memorandum of costs
9"), 685.080(a) ("The motion shall be made before the
10 judgment is satisfied in full, but not later than two years after
11 the costs have been incurred."); see also Carnes v. Zamani, 488
12 F.3d 1057, 1059-61 (9th Cir. 2007) (affirming the denial of a
13 similar motion as untimely). However, neither party discusses
14 this issue in their briefing. In order to ensure a thorough
15 adjudication of this matter involving a pro se party, the court
16 will continue the hearing set for this motion and invites both
17 parties to file supplemental briefs addressing the timeliness of
18 defendants' motion.

19 IT IS THEREFORE ORDERED that:

- 20 (1) The hearing currently scheduled for June 15, 2015,
21 is CONTINUED to June 29, 2015, at 2 p.m.;
- 22 (2) Defendants shall file a supplemental memorandum
23 addressing the timeliness of their motion for
24 attorneys' fees and costs of collection of
25 judgment on or before June 8, 2015;
- 26 (3) Plaintiffs shall file a supplemental response
27 addressing the same issue on or before June 15,
28 2015.

1 Dated: June 2, 2015



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3 WILLIAM B. SHUBB
4 UNITED STATES DISTRICT JUDGE
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