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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 VICTORIA ZETWICK,

12 Plaintiff,

13 v.

14 COUNTY OF YOLO, ET AL.,

15 Defendant.
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No. 12-cv-02486-TLN-AC

**CLARIFICATION OF MINUTE ORDER
(ECF No. 30)**

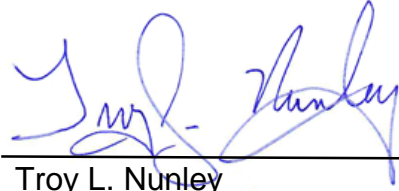
17 Defendants have requested clarification of this Court's Minute Order (ECF No. 30) filed
18 on November 24, 2014. In response, the Court submits the following.

19 The filing of a proper notice of appeal transfers jurisdiction over the matters appealed to
20 the court of appeals. During pendency of the appeal, the district court is divested of jurisdiction
21 over those aspects of the case involved in the appeal. *See Griggs v. Provident Consumer*
22 *Discount Co.*, 459 US 56, 58 (1982) (per curiam); *Stein v. Wood*, 127 F.3d 1187, 1189 (9th Cir.
23 1997). However, the district court's jurisdiction is not completely divested pending an appeal.
24 The district court retains limited jurisdiction to decide collateral issues (e.g., attorney fees). *See*
25 *Natural Resources Defense Council, Inc. v. Southwest Marine Inc.*, 242 F.3d 1163, 1166 (9th Cir.
26 2001) (holding that district court retained jurisdiction to modify injunction where changes "did
27 not materially alter the status of the consolidated appeal"). Thus, Plaintiff's appeal does not
28 preclude the parties from filing motions concerning attorney's fees during the interim. In fact, the

1 parties should file any appropriate motions within the specified time frame delineated in the Local
2 Rules. However, due to the pendency of the appeal, the Court will postpone ruling on such
3 motions until the appeal before the Ninth Circuit has been decided.

4 IT IS SO ORDERED.

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6 Dated: November 25, 2014

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10 Troy L. Nunley
11 United States District Judge
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