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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID JOHN PATTY and SHEILA
RENEE KIRCHNER,

Plaintiffs,

v.

FCA US, LLC, a Delaware Limited
Liability Company, and DOES 1
through 10, inclusive,

Defendants.

No. 2:16-cv-01332-MCE-CKD

ORDER

On May 20, 2016, Plaintiffs David John Patty and Sheila Renee Kirchner (“Plaintiffs”) filed a Complaint in the Superior Court of California, County of Sacramento, alleging Defendant FCA US (“Defendant”) breached certain express and implied warranties arising from the sale of a vehicle to Plaintiffs, in violation of the Song-Beverly Act, California Civil Code § 1790 et seq. (“the Act”). Defendant thereafter removed the case to this Court, and, in May 2017, the Court denied Plaintiffs’ subsequent motion to remand. ECF Nos. 1, 11.

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1 Over a year and a half later, Plaintiffs filed a Bill of Costs and a Motion for
2 Attorneys' Fees. ECF Nos. 18, 19. Those requests are hereby DENIED without
3 prejudice because no judgment has been entered in this case.¹

4 IT IS SO ORDERED.

5 Dated: March 29, 2019

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7 MORRISON C. ENGLAND, JR.
8 UNITED STATES DISTRICT JUDGE
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26 ¹ The Court is aware that the parties have since filed a notice of settlement on March 5, 2019,
27 indicating that “[a]fter payment of Plaintiff’s attorney fees, costs and expenses is received as determined
28 by agreement of the parties or by noticed motion, the parties shall immediately file an executed Stipulation
of Dismissal of the entire action.” ECF No. 27 at 2. The Court will not entertain a request for fees and
costs until judgment has been entered.