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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STONEBRAE, L.P.,

No. C-08-0221 EMC

Plaintiff,

**ORDER RE MARCH 16, 2011 MOTION
HEARING**

v.

TOLL BROS., INC., *et al.*,

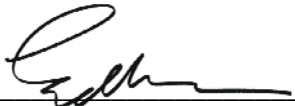
Defendants.

The parties shall be prepared to discuss the following issues at the hearing on March 16, 2011:

1. In determining the reasonableness of an award of attorney's fees in a diversity action settled pursuant to Fed. R. Civ. P. 68, does federal or state law apply?
2. Can a claim, if found "unrelated," be deemed "unsuccessful" where there has been no adjudication of that claim (by way of dismissal, partial summary adjudication or verdict) but instead was resolved in settlement of the entire case?
3. May the Court, in exercising discretion to award prejudgment interest under Civil Code § 3287(b), set the interest rate?

IT IS SO ORDERED.

Dated: March 15, 2011


EDWARD M. CHEN
United States Magistrate Judge