

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

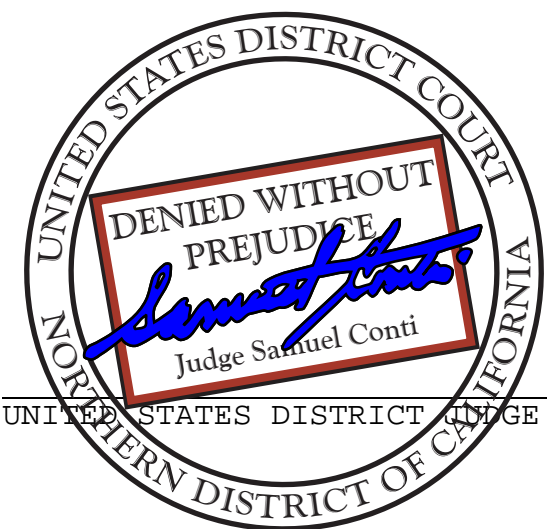
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TOLL BROTHERS, INC.,)	Case No. 08-987 SC
)	
Plaintiff,)	ORDER DENYING WITHOUT
)	PREJUDICE DEFENDANTS'
v.)	<u>MOTION FOR ATTORNEY FEES</u>
)	
CHANG SU-O LIN; HONG LIEN LIN;)	
and HONG YAO LIN,)	
)	
Defendants.)	
)	

A motion for attorney fees brought by Defendants Chang Su-O Lin, Hong Lien Lin, and Hong Yao Lin ("Defendants") came on for hearing on February 10, 2012. For two reasons, the Court DENIES the motion WITHOUT PREJUDICE. First, the motion is premature because the parties may incur additional attorney fees while the Court makes the factual findings required on remand from the Ninth Circuit. Second, Defendants filed their motion before the Ninth Circuit and have not properly presented the motion to this Court.

IT IS SO ORDERED.

Dated: February 13, 2012



UNITED STATES DISTRICT JUDGE