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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD TODD THOMAS,  
Plaintiff,  
v.  
JAMES S. BOSTWICK, et al.,  
Defendants.

Case No. [13-cv-02544-JCS](#)

**ORDER REGARDING MOTION FOR  
ATTORNEYS' FEES**

Re: Dkt. No. 88

The Court entered judgment for Plaintiff on September 3, 2014, and Plaintiff filed a Motion for Attorneys' Fees on September 17, 2014. Dkt. 88. On October 1, 2014—the last day by which Defendant could file a timely opposition—Defendant filed a Motion to Alter or Amend Judgment pursuant to Rule 59(e) of the Federal Rules of Civil Procedure. Dkt. 92. Defendant also filed a “Notice of Stay” stating Defendant’s understanding that this latest motion should serve to “presently relieve the parties from preparing and filing additional pleadings in connection with Plaintiff[’s] . . . Motion for Attorneys’ Fees.” Dkt. 94.

The Court agrees that interests of judicial economy would not be served by litigating Plaintiff’s Motion for Attorneys’ Fees while the judgment on which it relies is in doubt. Depending on the outcome of Defendant’s Motion, Plaintiff’s Motion may no longer be warranted, or Plaintiff may wish to revise its contents. The Court therefore DENIES Plaintiff’s Motion for Attorneys’ Fees without prejudice. Plaintiff may renew his Motion within fourteen (14) days after the resolution of Defendant’s Motion to Alter Judgment.

**IT IS SO ORDERED.**

Dated: October 2, 2014

  
JOSEPH C. SPERO  
United States Magistrate Judge