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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NANCY HART,  
Plaintiff,  
v.  
UNUM LIFE INSURANCE COMPANY  
OF AMERICA,  
Defendant.

Case No. 15-cv-05392-TEH

**ORDER DENYING PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
VACATE THE COURT'S JUNE 14,  
2017 ORDER**

United States District Court  
Northern District of California

Presently before the Court is Plaintiff Hart's administrative motion (ECF No. 76) to vacate the Court's June 14, 2017 Order (ECF No. 75). Previously, the Court issued an order vacating Hart's motion for attorney's fees, costs, damages, and pre-judgment interest. This was because Hart had failed to include in her motion a declaration that the parties had complied with Civ. L.R. 54-5(a), which requires counsel to "meet and confer for the purpose of resolving all disputed issues relating to attorney's fees before making a motion for award of attorney's fees." After the Court vacated the motion, Hart submitted an administrative motion seeking an order reinstating the motion. In support of her administrative motion, Hart claimed the parties "did meet and confer as required by the local rules," and that the omission of such a declaration was an inadvertent oversight. ECF No. 76 at 24-27. In response, Defendant Unum opposed the administrative motion claiming that while the parties had been in communications regarding Plaintiff's attorney fees, the parties had at no time made a good faith attempt to resolve any of the underlying issues. See ECF No. 77. Perhaps more importantly, however, Unum asserted it "remains willing to meet and confer." Id. at 3:14-15.

Thus, the parties are ORDERED to attempt anew to meet and confer in good faith. In the event the parties are unable to resolve all of the issues, Hart may submit a renewed

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motion for attorney fees and costs as to any remaining issues. Accordingly, Plaintiff's administrative motion is DENIED.

**IT IS SO ORDERED.**

Dated: 6/20/2017



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THELTON E. HENDERSON  
United States District Judge