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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

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JACK SMITH,

Plaintiff,

Case No. 13-CV-00595-LHK

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ORDER RE BILL OF PARTICULARS

14

v.

Re: Dkt. No. 82

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COUNTY OF SANTA CRUZ, et al.,
Defendants.

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18   On March 13, 2015, Karla Gottschalk filed a "Bill of Particulars, Notice of Allied Matter

19   and Declaration." ECF No. 82. Gottschalk was prior counsel for Plaintiff Jack Smith. On February

20   12, 2014, Plaintiff Smith's current counsel, Kathleen Wells, filed a notice of substitution of

21   counsel. ECF No. 43. Both Wells and Gottschalk signed the notice of substitution. On February

22   27, 2015, the parties filed a joint case management statement and notice of settlement. ECF No.

23   80. On March 13, 2015, Gottschalk filed the instant request for attorney's fees. On April 16, 2015,

24   the parties filed a joint case management statement requesting that the Court deny Gottschalk's

25   request. ECF No. 83.

26   As an initial matter, the Court notes that Gottschalk has failed to comply with the Civil

27   Local Rules and the undersigned's standing order with respect to noticing and filing motions.

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1   Gottschalk neither noticed this "motion" for a hearing, nor did she file her request as an

2   administrative motion pursuant to Civil Local Rule 7-11. The substance of Gottschalk's

3   submission to the Court contains no memorandum of points and authorities, no citations to legal
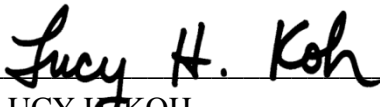
4   authority, and no legal argument.

5   Gottschalk "requests fees earned in the above matter through promissory estoppel and/or

6   quantum merit." ECF No. 82, at 1. Gottschalk is not a party to this action, nor has she been

7   granted permission to intervene in this action. The "bill of particulars" provides no basis, statutory

8   or otherwise, upon which the Court could grant attorney's fees. Gottschalk provides no

9   explanation for why the Court should entertain her request for fees, and the Court finds no factual

10   or legal basis upon which to grant Gottschalk's request.

11   The Court therefore DENIES Gottschalk's request for fees.

12   The parties shall file a stipulation of dismissal with prejudice by April 29, 2015.

13   **IT IS SO ORDERED.**

14   Dated: April 23, 2015

15   _____
     LUCY H. KOH

16   United States District Judge

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Case No.13-CV-00595-LHK
ORDER RE BILL OF PARTICULARS