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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

LYNN J. HUBBARD, et al.,

Plaintiffs,

vs.

SOBRECK LLC,

Defendants.

CASE NO. 04cv1129 WQH (LSP)

**ORDER**

HAYES, Judge:

On January 12, 2009, the Court of Appeals for the Ninth Circuit entered judgment in this case reversing the Court's order awarding Defendants attorney's fees and remanding. (Doc. # 115). This Court now has jurisdiction.


On June 4, 2004, Plaintiffs initiated this action by filing the Complaint. (Doc. # 1). On May 2, 2006, the Court commenced a two-day bench trial. On August 7, 2006, the Court entered a judgment in favor of Defendants on all of Plaintiff's claims. (Docs. # 79, 80). On November 22, 2006, the Court issued an order awarding Defendants attorney's fees totaling \$80,090.86. (Doc. # 98).

On December 15, 2006, Plaintiffs appealed the Court's November 22, 2006 order awarding Defendants attorney's fees to the Ninth Circuit. (Doc. # 100). On January 12, 2009, the Ninth Circuit issued an opinion that stated: "The order awarding attorney's fees is reversed and the matter remanded with instructions to vacate the fee award." (Doc. # 115).

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IT IS HEREBY ORDERED that the November 22, 2006 order awarding attorney's fees (Doc. # 100) is **VACATED**. The case shall remain closed.

DATED: February 18, 2009

  
**WILLIAM Q. HAYES**  
United States District Judge