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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ROCHELLE NISHIMOTO,

Plaintiff,

v.

COUNTY OF SAN DIEGO,
DOES 1-100, inclusive,

Defendants.

Case No.: 16CV1974-BEN-LL

ORDER RE: SANCTIONS

On March 18, 2019, this Court entered an Order granting in part Defendant Correctional Physicians Medical Group (“CPMG”)’s Motion for Sanctions. ECF No. 153. The Court ordered Plaintiff Rochelle Nishimoto’s counsel to reimburse CPMG and its counsel for any and all fees and costs incurred in litigating CPMG’s Motion for Sanctions. Id. at 8.

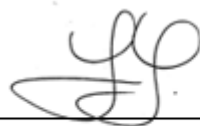
On March 20, 2019, CPMG submitted a declaration with supporting documentation alleging CPMG had incurred costs and fees totaling \$2,080 associated with filing its Motion. ECF No. 154. This assessment was based on 10.4 hours spent litigating CPMG’s Motion for Sanctions at a hourly rate of \$200/hr. Id. at ¶ 2. Plaintiff was ordered to file any response to CPMG’s calculation of costs by March 29, 2019. ECF No. 153 at 8. As of the date of this Order, Plaintiff has not filed a response. See Docket.

1 On March 22, 2019, the Court granted Defendant Anne Brantman’s Motion for
2 Summary Judgment in favor of Defendants Brantman and CPMG and the action was
3 dismissed. See ECF Nos. 155, 156. Although the case was dismissed, this Court retained
4 jurisdiction to consider collateral issues—including sanctions. See Cooter & Gell v.
5 Hartmarx Corp., 496 U.S. 384, 395 (1990) (“It is well established that a federal court may
6 consider collateral issues after an action is no longer pending.”); Moore v. Permanente
7 Med. Grp., 981 F.2d 443, 445 (9th Cir. 1992) (“[I]t is clear that an award of attorney’s fees
8 is a collateral matter over which a court normally retains jurisdiction even after being
9 divested of jurisdiction on the merits.”); Fosselman v. Gibbs, 2010 U.S. Dist. LEXIS
10 25651, at *8-9 (N.D. Cal. Mar. 18, 2010) (grant of summary judgment did not deprive court
11 of jurisdiction over collateral sanctions issue).

12 Accordingly, if Plaintiff has objections to CPMG’s calculation of costs, it is
13 **ORDERED** to file a response by **April 17, 2019**. Plaintiff’s response should be no more
14 than **three pages in length**.

15 **IT IS SO ORDERED.**

16 Dated: April 10, 2019



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18 Honorable Linda Lopez
19 United States Magistrate Judge
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