

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 12-cv-01861-RPM

MORGAN STANLEY & CO., INC.,

Petitioner,

v.

BRYANT SEAN HAYWARD,

Respondent.

ORDER DENYING MOTION FOR ATTORNEYS' FEES

On January 11, 2013, judgment was entered in favor of the plaintiff based on an arbitration award. On January 25, 2013, the plaintiff filed a motion for attorneys' fees, relying on a provision in the promissory notes. In this Court's view, those notes were merged in the arbitration award and do not provide for a basis for attorneys' fees for this civil action. Accordingly, it is

ORDERED that the plaintiff's motion for attorneys' fees is denied.

DATED: February 1st, 2013

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge