

IN THE UNITED STATES DISTRICT COURT OF THE DISTRICT COURT
THE SOUTHERN DISTRICT OF GEORGIA Southern District of Ga.
SAVANNAH DIVISION Filed in Office

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AMERIS BANK,)
)
Plaintiff and Counter-))
Defendant,)
)
v.)
)
G. GLEN MARTIN and ARTHUR G.)
SCANLAN,)
)
Defendants and Counter-))
Plaintiffs.)
)

CASE NO. CV414-038


O R D E R

The Eleventh Circuit Court of Appeals has affirmed this Court's award of summary judgment in favor of Plaintiff. (Doc. 81.) In addition, the Eleventh Circuit concluded that Defendants' claims were "clearly frivolous in the face of establish law and clear facts." (Id. at 12 (quoting Parker v. Am. Traffic Solutions, Inc., 835 F.3d 1363, 1371 (11th Cir. 2016))). As a result, the Eleventh Circuit awarded Plaintiff its "costs and reasonable attorneys' fees incurred to defend this appeal," and ordered that Defendants' counsel be held jointly and severally liable. (Id. at 13.) The Eleventh Circuit remanded the case to this Court "for further proceedings to determine costs and reasonable attorneys' fees attributable to Defendant's

frivolous appeal pursuant to [Federal] Rule [of Appellate Procedure] 38." (Id. at 14.)

Accordingly, Plaintiff **SHALL** have twenty-one days from the date of this order to brief this Court on the appropriate award of costs and reasonable attorneys' fees. Defendants **SHALL** have fourteen days to respond. Any reply briefs **SHALL** be properly noticed and filed according to this district's local rules.

SO ORDERED this 11th day of January 2018.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA