

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

AUTO CLUB FAMILY)	
INSURANCE COMPANY,)	
)	
)	
Plaintiff,)	
vs.)	Case No. 2:16-cv-02789-JAR-JPO
)	
)	
BLAKELUND MORONEY et al.,)	
heirs at law to KEVIN P. MORONEY,)	
deceased,)	
)	
and)	
)	
SUZANNE ESTRELLA and)	
BENJAMIN ESTRELLA,)	
)	
)	
Defendants.)	
<hr/>		

ORDER GRANTING THE PARTIES’ JOINT MOTION TO DEFER OR DENY WITHOUT PREJUDICE THE COUNTERCLAIMANTS’ MOTION FOR ATTORNEYS’ FEES AND POSTJUDGMENT INTEREST

The Court has before it the parties’ Joint Motion to Defer or Dismiss Without Prejudice the Counterclaimants’ Motion for Attorneys’ Fees and Postjudgment Interest (Doc. 22). The Court grants the relief requested on the basis of judicial efficiency and fairness, as set out in the joint motion and in previous orders of this Court.¹

¹ *Hudson v. AIH Receivable Mgmt. Servs.*, Case No. 10-2287-JAR, 2012 WL 13026795, at *2 (D. Kan. Dec. 7, 2012) (“Because Defendant has appealed numerous issues of law, the Court finds that the interests of judicial efficiency and fairness weigh in favor of waiting for a mandate from the Tenth Circuit before awarding or denying attorneys’ fees in this matter.”) (citations omitted); *Rural Water Dist. No. 4, Douglas Cty., Kan. v. City of Eudora*, Case No. 07-2463-JAR, 2010 WL 11566095, at *1 (D. Kan. Jan. 11, 2010) (same).

IT IS THEREFORE ORDERED that the parties' Joint Motion to Defer or Deny Without Prejudice (Doc. 24) is **granted**. The Court denies without prejudice the Counterclaimants' Motion for Attorneys' Fees and Postjudgment Interest (Doc. 22). The Counterclaimants may renew their motion, if not moot, in accord with D. Kan. Rule 54.2 within 14 days of the date the Tenth Circuit issues a mandate in this case.

IT IS SO ORDERED.

Dated: March 29, 2018

S/ Julie A. Robinson
JULIE A. ROBINSON
CHIEF UNITED STATES DISTRICT
JUDGE