US Bank, NA v. Recovery Services Northwest, Inc., Doc. 177

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

U.S. BANK, N.A.,

Plaintiff,

v.

RECOVERY SERVICES NORTHWEST, INC. d/b/a CUSTOM RECOVERY,

Defendant.

Case No. 2:13-cv-01254-APG-GWF

ORDER

(ECF No. 152)

Plaintiff U.S. Bank, N.A. moves for attorney's fees against defendant Recovery Services Northwest, doing business as Custom Recovery ("Custom"), based on a provision in the parties' contract which allows for the prevailing party in a dispute arising out of that contract to recover reasonable attorney's fees and costs. U.S. Bank also requests that I find Custom's counsel, Eugene J. Wait, Jr., jointly and severally liable for some of those fees based on counsel's vexatious litigation conduct. According to the State Bar of Nevada's website, Wait is deceased.

IT IS ORDERED that on or before December 8, 2017, U.S. Bank shall advise the court whether it still seeks sanctions in the form of fees against Wait.

DATED this 20th day of November, 2017.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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