1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 4 U.S. Bank Trust, N.A., as Trustee for LSF9 2:16-cv-02938-JAD-NJK Master Participation Trust, 5 Order Denying Plaintiff's Motion for Attorneys' Fees and Costs Plaintiff 6 [ECF No. 17] v. 7 Operture, Inc., 8 Defendant 9 10 In this action for quiet title, unjust enrichment, and a preliminary injunction, plaintiff U.S. Bank 11 Trust, N.A., as Trustee for LSF9 Master Participation Trust, moves for attorneys' fees and costs after 12 default judgment was entered against defendant Operture, Inc.² But U.S. Bank's motion fails to 13 comply with Local Rules 54-1 and 54-14, so I deny it without prejudice to U.S. Bank's ability to file a 14 15 new motion that complies with the local rules. Discussion 16 Attorneys' fees and costs 17 Α. U.S. Bank requests \$5,654.50 in attorneys' fees and \$1,045.50 in costs.³ NRS § 18.010(b) 18 19 permits an award of attorneys' fees to a prevailing party "when the court finds that the claim, 20 counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought or 21 maintained without reasonable ground or to harass the prevailing party." And NRS § 18.020 permits 22 an award of costs to a prevailing party in a claim for the return of real property or of a "possessory 23 24 ¹ ECF No. 1 at 1. 25 ² ECF No. 17. 26 ³ ECF 17 at 9. 27 ⁴ NEV. REV. STAT. § 18.010(b) (2015). 28

right" in real property. ⁵ But, because U.S. Bank fails to satisfy the Local Rules, I can award neither fees nor costs at this time.

U.S. Bank's request for attorneys' fees includes only the total amount sought and an analysis of the factors that the Nevada Supreme Court adopted in *Brunzell v. Golden Gate National Bank*⁶ for evaluating the reasonableness of attorneys' fees.⁷ Local Rule 54-14, however, requires that "[a] reasonable itemization and description of the work performed" be included when attempting to recover attorneys' fees.⁸ An itemization and description of the work performed is absent from the fees requested. U.S. Bank therefore fails to comply with Local Rule 54-14, and I deny its request. Local Rule 54-1 similarly requires a prevailing party requesting costs to file an itemized bill of costs and disbursements.⁹ Although U.S. Bank refers to a "Memorandum of Costs and Disbursements filed concurrently" with this motion, ¹⁰ no such memorandum was actually filed.¹¹ So, because an itemization of costs is absent, I also deny the request for costs.

Conclusion

Accordingly, IT IS HEREBY ORDERED that U.S. Bank's motion for attorneys' fees and costs [ECF No. 17] is denied without prejudice to its ability to file a new motion that complies with the Local Rules.

U.S. District Judge Jennifer

DATED: November 22, 2017.

⁵ Nev. Rev. Stat. § 18.020(1) (2015).

⁶ Brunzell v. Golden Gate Nat'l Bank, 455 P.2d 31 (Nev. 1969).

²³ ⁷ *Id.* at 33; ECF No. 17 at 3–9.

24 8 See LR 54-14(b)(1).

⁹ See LR 54-1(b).

27 ECF No. 17 at 8.

¹¹ See generally docket report, case no. 2:16-cv-02938-JAD-NJK.