

1

2

3

4

5

6

UNITED STATES DISTRICT COURT

7

DISTRICT OF NEVADA

8

* * * * *

9

CAROLYN GARRETT,

10

Plaintiff,

3:14-CV-00141-LRH-WGC

11

v.

ORDER

12

GARRETT BULLOCK, DIANN MARTIN,
CATHERINE HINTZEN, JASON GARRETT,

13

14

Defendants.

15

16

On September 15, 2016, this court granted former-interpleader UBS's motion to lift the stay on this case in order to (1) enter judgment, (2) distribute to UBS the attorney fees and costs previously awarded by the court, and (3) distribute to plaintiff Carolyn Garrett the remainder of the interpleaded funds deposited by UBS with the court. ECF No. 175. Accordingly, the court directed the clerk of court to distribute \$22,495.34 to UBS, which consisted of \$20,000.00 in attorney fees, \$1,396.62 in interest for the fees award, \$1,060.00 in costs, and \$66.02 in interest for the costs award. Interest was calculated at the Nevada statutory rate from the date of each award until September 15, 2016.

17

18

19

20

21

22

23

24

Since that order, it has come to the court's attention that the clerk of court distributed the \$20,000 attorney-fee award on June 15, 2015, by mailing a check to UBS. The check was subsequently deposited. The clerk's office distributed this check based on the court's May 28, 2015 order, granting UBS's motion for attorney fees. ECF No. 91. The court did specify in its July 21, 2015 order that this award would not be paid until the court entered judgment for UBS

25

26

27

28

1 (ECF No. 109); however, by that point, the funds had already been distributed. The court has
2 verified that this was the only money distributed to UBS and that it has not yet received its costs
3 award.

4 Because UBS has already received its attorney-fees award, UBS will only receive a
5 disbursement for costs and interest totaling \$1,126.02 (\$1,060.00 + \$66.02). UBS will not
6 receive interest on its attorney-fees award because it immediately received the funds after the
7 court awarded them.


8
9 **IT IS THEREFORE ORDERED** that the Clerk of Court shall NOT distribute
10 \$22,495.34 to UBS as originally ordered by the court on September 15, 2016 (ECF No. 175).

11 The Clerk of Court shall instead distribute to UBS a total of \$1,126.02 in costs and
12 interest from the interpleaded funds deposited by UBS with the court (ECF Nos. 79, 83, 93).

13 The Clerk of Court shall, after distributing \$1,126.02 to UBS, distribute to plaintiff
14 Carolyn Garrett the remaining balance of the interpleaded funds deposited by UBS with the court
15 (ECF Nos. 79, 83, 93).

16
17 IT IS SO ORDERED.

18 DATED this 22nd day of September, 2016.

19
20 
21 LARRY R. HICKS
22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27
28