

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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In re:

CASE NO. C17-1189-JCC

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MARAT TIMURSHIN

Bankruptcy Case No: 17-12798

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Debtor.

ORDER ON APPEAL

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MARAT TIMURSHIN,

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Appellant,

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v.

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NATALIA SMAGINA,

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Appellee

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This matter comes before the Court on Appellee’s motion for attorney fees (Dkt. No. 19).

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Having thoroughly considered the parties’ briefing and the relevant record, the Court finds oral argument unnecessary and hereby DENIES the motion for the reasons explained herein.

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In general, parties bear their own attorney fees. *See* Fed. R. Civ. P. 54(d)(2); *MRO Communs., Inc. v. AT&T Co.*, 197 F.3d 1276, 1281 (9th Cir. 1999) (“Rule 54(d)(2) ... gives effect to the ‘American Rule’ that each party must bear its own attorneys’ fees in the absence of

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1 a rule, statute, or contract authorizing such an award.”). There exists no general right to recover
2 attorney fees in the Bankruptcy Code. *Seyed Shahram Hosseini v. Key Bank N.A. (In re Seyed*
3 *Shahram Hosseini)*, 504 B.R. 558, 568 (B.A.P. 9th Cir. 2014).

4 Here, Appellee grounds her request for attorney fees in Federal Rule of Bankruptcy
5 Procedure 8021, which pertains to costs taxable in bankruptcy court. (Dkt. No. 19 at 1–2); Fed.
6 R. Bankr. P. 8021(c). That provision does not apply to attorney fees, and Appellee does not
7 request costs in her motion. (Dkt. No. 19.) Appellee also cites to Federal Rule of Civil Procedure
8 54, but that Rule does not provide a basis for attorney fees—it merely outlines the procedure for
9 requesting such an award. (*Id.*); *see* Fed. R. Civ. P. 54.

10 For the foregoing reasons, Appellee’s motion for attorney fees (Dkt. No. 19) is DENIED.

11 DATED this 22nd day of February 2018.

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15 John C. Coughenour
16 UNITED STATES DISTRICT JUDGE
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