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5   **UNITED STATES DISTRICT COURT**

6   **EASTERN DISTRICT OF CALIFORNIA**

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8   **JEFF SILVESTER, et al.,**   **CASE NO. 1:11-CV-2137 AWI SAB**

9   **Plaintiffs**

10   **v.**   **ORDER PERMITTING PLAINTIFFS TO**
                                                    SUBMIT ADDITIONAL EVIDENCE
11 **KAMALA HARRIS, Attorney General of**   **REGARDING ATTORNEYS' FEES**
    California, and DOES 1 to 20,
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                     Defendants
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15   Currently pending before the Court is Plaintiffs' motion for attorneys' fees. On December

16 2, 2014, the Court vacated the December 8, 2014 hearing date on this matter. However, in

17 Plaintiffs' reply brief in Footnote 2, Plaintiffs state that they will file a supplemental declaration

18 prior to December 8, 2014, that requests additional fees for the post-trial motion work in this case.

19 See Doc. No. 126.

20   Attorneys' fees for post-trial motion work, as well as for work done in connection with a

21 fee application, are recoverable by the prevailing party. See Gonzalez v. City of Maywood, 729

22 F.3d 1196, 1209 (9th Cir. 2013) (fee application); Perrin v. Goodrich, 2012 U.S. Dist. LEXIS

23 67933, *7-*10 (C.D. Cal. May 14, 2012) (fee application and post-trial motions); Agster v.

24 Maricopa Cnty., 486 F.Supp.2d 1005, 1020 (D. Ariz. 2007) (same); see also Commissioner of INS

25 v. Jean, 496 U.S. 154, 161 (1990) (". . . a fee award presumptively encompasses all aspects of the

26 civil action."). The Court will permit Plaintiffs to file supplemental declarations, evidence, and

27 briefing with respect to attorneys' fees for the fee application and the post-trial motions. The

28 Court will also give Defendant the opportunity to file a response.

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Accordingly, IT IS HEREBY ORDERED that:

2   1.   Plaintiffs will file supplemental briefing and evidence regarding attorneys' fees for the

3   time spent on post-trial motions and for the fee application as soon as possible, but no later

4   than December 10, 2014; and

5   2.   Defendant may file a response to Plaintiffs' supplemental briefing within seven (7) days of

6   service of Plaintiff's supplemental briefing and evidence.

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IT IS SO ORDERED.

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9 Dated: December 3, 2014   _____

SENIOR DISTRICT JUDGE

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