

FILED & ENTERED

OCT 26 2015

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bakchell DEPUTY CLERK

ORDER NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re:

MARTIN PEMSTEIN AND DIANA
PEMSTEIN,

Debtors.

Case No. 2:12-bk-15900 RK

Chapter 11

Adversary No. 2:12-ap-01291-RK

HAROLD PEMSTEIN,

Plaintiff,

vs.

MARTIN PEMSTEIN AND DIANA
PEMSTEIN,

Defendants.

**ORDER DENYING
PLAINTIFF/APPELLEE'S
MEMORANDUM OF COSTS POST-
APPEAL WITHOUT PREJUDICE**

Pending before the court is the filing by Plaintiff/Appellee Harold Pemstein of his "Appellee's Memorandum of Costs Post-Appeal; Declaration of Christopher L. Blank" (the "Memorandum") [Docket No. 145] on October 5, 2015, requesting reimbursement of attorneys' fees and expenses as the prevailing party in the above-mentioned adversary proceeding.

1 The court having reviewed and considered the Memorandum of Costs and that this
2 “Memorandum of Costs” was not brought by noticed motion and hearing as required in adversary
3 proceedings before this court for an award of attorneys’ fees as costs of suit by Rule 7054(b) of the
4 Federal Rules of Bankruptcy Procedure, Rule 54(d) of the Federal Rules of Civil Procedure and
5 Local Bankruptcy Rules 7054-1(g) and 9013-1; and for good cause appearing thereof,

6 IT IS HEREBY ORDERED that the:

7 Request sought in the Memorandum of Costs is denied without prejudice.

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24 Date: October 26, 2015



25 Robert Kwan
26 United States Bankruptcy Judge
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