

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

<b>AUTO CLUB FAMILY</b>	)	
<b>INSURANCE COMPANY,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
<b>vs.</b>	)	<b>Case No. 2:16-cv-02789-JAR-JPO</b>
	)	
	)	
<b>BLAKELUND MORONEY et al.,</b>	)	
<b>heirs at law to KEVIN P. MORONEY,</b>	)	
<b>deceased,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>SUZANNE ESTRELLA and</b>	)	
<b>BENJAMIN ESTRELLA,</b>	)	
	)	
	)	
<b>Defendants.</b>	)	
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**ORDER GRANTING THE PARTIES’ JOINT MOTION TO DEFER OR DENY WITHOUT PREJUDICE THE COUNTERCLAIMANTS’ MOTION FOR ATTORNEYS’ FEES AND POSTJUDGMENT INTEREST**

The Court has before it the parties’ Joint Motion to Defer or Dismiss Without Prejudice the Counterclaimants’ Motion for Attorneys’ Fees and Postjudgment Interest ([Doc. 22](#)). The Court grants the relief requested on the basis of judicial efficiency and fairness, as set out in the joint motion and in previous orders of this Court.<sup>1</sup>

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<sup>1</sup> *Hudson v. AIH Receivable Mgmt. Servs.*, Case No. 10-2287-JAR, [2012 WL 13026795](#), at \*2 (D. Kan. Dec. 7, 2012) (“Because Defendant has appealed numerous issues of law, the Court finds that the interests of judicial efficiency and fairness weigh in favor of waiting for a mandate from the Tenth Circuit before awarding or denying attorneys’ fees in this matter.”) (citations omitted); *Rural Water Dist. No. 4, Douglas Cty., Kan. v. City of Eudora*, Case No. 07-2463-JAR, [2010 WL 11566095](#), at \*1 (D. Kan. Jan. 11, 2010) (same).

**IT IS THEREFORE ORDERED** that the parties' Joint Motion to Defer or Deny Without Prejudice ([Doc. 27](#)) is **granted**. The Court denies without prejudice the Counterclaimants' Motion for Attorneys' Fees and Postjudgment Interest ([Doc. 22](#)). The Counterclaimants may renew their motion, if not moot, in accord with [D. Kan. Rule 54.2](#) within 14 days of the date the Tenth Circuit issues a mandate in this case.

**IT IS SO ORDERED.**

Dated: March 29, 2018

S/ Julie A. Robinson  
JULIE A. ROBINSON  
CHIEF UNITED STATES DISTRICT  
JUDGE