

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

EMILE MAZLOUM,

Plaintiff,

v.

DISTRICT OF COLUMBIA, et al.,

Defendants.

Civil Action No. 06-0002 (JDB)

ORDER

Before the Court is defendant Anthony Ramirez's ("defendant") motion to stay proceedings related to plaintiff's fee petition, or, alternatively, to extend defendant's time to file an opposition to plaintiff's fee petition. Defendant argues that a stay is warranted because the Court has not issued a final order and because some defendants in this case have appealed. But section 1988(b) fee petitions may be filed before an order is final. See 42 U.S.C. § 1988(b); see also Local Rule 54.2(c) ("Nothing in this Rule precludes interim applications for attorneys fees prior to final judgment."); Farrar v. Hobby, 506 U.S. 103, 111-12 (1992) (explaining that a plaintiff need only obtain "actual relief on the merits of his claim [that] materially alters the legal relationship between the parties" to seek section 1988(b) attorneys fees). Policy reasons favor pre-appeal fee petitions as well. "Prompt filing affords an opportunity for the court to resolve fee disputes shortly after trial, while the services performed are freshly in mind." Fed. R. Civ. P. 54 Advisory Committee's Notes. Defendant has not pointed to any countervailing policy interests that favor staying plaintiff's fee petition. For these reasons, it is hereby:

1. **ORDERED** that [232] defendant's motion to stay is **DENIED**; it is further
2. **ORDERED** that [232] defendant's motion to extend time to file an opposition is

GRANTED. Defendant shall file his opposition by not later than November 26, 2008.

SO ORDERED.

/s/

JOHN D. BATES
United States District Judge

Dated: November 12, 2008