

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

JEFFREY M. NORMAN,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 06-005-LPS
	:	
DAVID W. ELKIN, et al.	:	
	:	
Defendants,	:	
	:	
and	:	
	:	
US MOBILCOMM, INC.,	:	
	:	
Nominal Defendant.	:	

MEMORANDUM ORDER

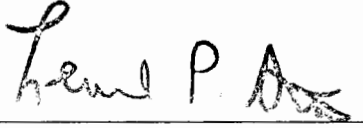
Having reviewed Defendant David W. Elkin's ("Defendant") Motion for Attorney Fees (D.I. 286) and opening brief in support thereof (D.I. 287) and Plaintiff Jeffrey M. Norman's ("Plaintiff") Emergency Motion (D.I. 288),

IT IS HEREBY ORDERED that (1) Plaintiff's Emergency Motion (D.I. 288) is **DENIED** and (2) Defendant's Motion for Attorney Fees (D.I. 286) is **DENIED WITHOUT PREJUDICE** to renew after any appeal is concluded or after the expiration of time for filing any appeal.

IT IS FURTHER ORDERED that, pursuant to Federal Rule of Appellate Procedure 4(a)(5)(A), Plaintiff's deadline to file an appeal to the Court of Appeals for the Third Circuit is hereby **EXTENDED** by seven (7) days to April 20, 2016. Plaintiff moved for "an extension of time to file an appeal of the final judgment and other judgment/decisions rendered in this

proceeding.” (D.I. 288 at 1) Good cause for extension of the time to file an appeal is shown by Plaintiff’s uncertainty, given the Court’s previous Oral Order (D.I. 284), regarding whether Plaintiff would be permitted by the Court, pursuant to Federal Rule of Appellate Procedure 4(a)(4)(A)(iii), to extend the deadline for filing a notice of appeal in light of Defendant’s filing of his Motion for Attorney Fees under Federal Rule of Civil Procedure 54. The most efficient and appropriate manner of proceeding in light of the lengthy history of this case is for the parties to obtain appellate review, if desired, before the Court entertains any motion for attorney fees.

April 12, 2016
Wilmington, Delaware



HON. LEONARD P. STARK
UNITED STATES DISTRICT JUDGE