

478 Fed.Appx. 660

This case was not selected for publication in the Federal Reporter. Not for Publication in West's Federal Reporter See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also Eleventh Circuit Rules 36-2, 36-3. (Find CTA11 Rule 36-2 and Find CTA11 Rule 36-3) United States Court of Appeals, Eleventh Circuit.

Marjan VAKILI, and Faith Properties, LLC, Plaintiffs–Appellants,

v.

Charles F. STEPHENSON, Brookestone Place, LLC, et al., Defendants–Appellees.

No. 11–12305.

July 25, 2012.

Attorneys and Law Firms

Richard Allen Bearden, Massey Stotser & Nicholas, PC, Jeffrey W. Brumlow, Morris & Brumlow, PC, Birmingham, AL, for Plaintiffs–Appellants.

Richard J.R. Raleigh, Jr., Marcus Allen Huff, Wilmer & Lee, PA, Kevin C. Gray, Maynard Cooper & Gale, PC, Huntsville, AL, Lee Rimes Benton, Benton & Centeno, LLP, Alby Joe Peddy, Smith Spires & Peddy, PC, Walter A. Dodgen, Balch & Bingham, LLP, Birmingham, AL, Douglas B. Hargett, Hall & Tanner, PC, Tuscumbia, AL, for Defendants–Appellees.

Appeal from the United States District Court for the Northern District of Alabama. D.C. Docket No. 2:08–cv–00276–VEH.

Before DUBINA, Chief Judge, EDMONDSON, Circuit Judge, and RESTANI, * Judge.

* Honorable Jane A. Restani, United States Court of International Trade Judge, sitting by designation.

Opinion

PER CURIAM:

****1** This state-law diversity case arises out of the defendants' attempts to collect debts owed by Kevin Vakili. Plaintiffs Marjan Vakili (Mr. Vakili's wife) and Faith Properties sued several defendants: Appellees Charles F. Stephenson, Providence Place, LLC, and Brookestone Place, LLC (“Defendants”); and two non-Appellee defendants. Plaintiffs claimed, among other things, that the Stephenson Parties violated Alabama law by wrongfully foreclosing on some of the Vakilis' properties. Defendants cross- and counterclaimed, alleging that Plaintiffs and Mr. Vakili (who had been joined as a third-party defendant, along with Sina Jashfar, Mrs. Vakili's son) fraudulently transferred property to avoid Mr. Vakili's creditors.

***661** After discovery, the district court granted Defendants' motion for summary judgment and dismissed with prejudice all claims brought by Plaintiffs against Defendants. The district court entered final judgment in favor of Defendants and charged attorney's fees and costs to Plaintiffs, plus Mr. Vakili and Mr. Jashfar. From a study of the case, including the oral arguments made to us, we conclude that no reversible error has been presented.

Plaintiffs and Mr. Vakili¹ ask the Court to reverse three of the district court's decisions in this case: (1) the grant of summary judgment for Defendants because the “unclean hands” doctrine barred Plaintiffs from seeking equitable relief; (2) an order compelling production of certain communications between the Vakilis and their lawyer; and (3) the award under the Alabama Litigation Accountability Act of attorney's fees and costs to Defendants.

¹ The Notice of Appeal and other documents filed with the Court establish that Mr. Jashfar did not appeal the district court's decisions.

We affirm all of the appealed-from decisions of the district court: the district court did not abuse its discretion by applying the “unclean hands” doctrine, the district court did not abuse its discretion by compelling production of the attorney-client communications, and the district court made no error in charging attorney's fees and costs to Plaintiffs and to Mr. Vakili for claims and defenses asserted without substantial justification.

AFFIRMED.

All Citations

478 Fed.Appx. 660, 2012 WL 3024191

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