12-992 RAY HALUCH GRAVEL CO. V. CENTRAL PENSION FUND

DECISION BELOW: 695 F.3d 1

LOWER COURT CASE NUMBER: 11-1944

QUESTION PRESENTED:

In *Budinich v. Becton Dickinson & Co.,* 486 U.S. 196 (1988), this Court held that a district court's decision on the merits that left unresolved a request for statutory attorney's fees was a "final decision" under 28 U.S.C. § 1291. The question presented in this case, on which there is an acknowledged conflict among nine circuits, is whether a district court's decision on the merits that leaves unresolved a request for *contractual* attorney's fees is a "final decision" under 28 U.S.C. § 1291.

CERT. GRANTED 6/17/2013