

**NOT PRECEDENTIAL**

**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

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No. 12-1607

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EAST END TAXI SERVICES, INC.

v.

VIRGIN ISLANDS TAXI ASSOCIATION, INC,

Appellant.

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On Appeal from the District Court  
of the Virgin Islands – Appellate Division  
(Division of St. Thomas)  
District Court No. 06-cv-000146  
District Judge: Honorable Stanley S. Brotman

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Submitted under Third Circuit LAR 34.1(a)  
on December 6, 2012

Before: SMITH, HARDIMAN and ROTH, Circuit Judges

(Opinion filed: January 31, 2013)

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OPINION

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**ROTH, Circuit Judge:**

Virgin Islands Taxi Association (VITA) appeals the Appellate Division of the District Court of the Virgin Islands' award of costs and attorney fees to East End Taxi Services (EETA). EETA had moved under Virgin Islands Rule of Appellate Procedure 30 for attorneys fees and costs associated with an earlier appeal to the Appellate Division. The Appellate Division granted the motion on January 30, 2012. Because the trial court has not yet resolved the underlying merits of VITA's request for injunctive relief against EETA, we conclude that this order is not a final one.. Thus, we cannot exercise appellate jurisdiction over this matter under 48 U.S.C. § 1613a9(c). *Catlin v. United States*, 324 U.S. 229, 233 (1994). We will dismiss the appeal.