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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

IQBAL HUSAIN,

Plaintiff-counter-defendant-  
Appellee,

v.

AMJAD KHAN,

Defendant-counter-claimant-  
Appellant.

No. 10-17171

No. 5:06-cv-07081-JF (HRL)

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Jeremy Fogel, District Judge, Presiding

Submitted November 16, 2011\*\*  
San Francisco, California

Before: NOONAN and BEA, Circuit Judges, and WALTER, District Judge.\*\*\*

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

\*\*\* The Honorable Donald E. Walter, Senior District Judge for the U.S. District Court for Western Louisiana, sitting by designation.

Amjad Khan appeals the district court's judgment for defendant Iqbal Husain following a bench trial regarding Husain's claim for breach of contract arising from a settlement agreement entered into by the parties following a failed telecommunications joint venture. Because the parties are familiar with the facts, we need not repeat them here.

Following a bench trial, we review the district court's findings of fact for clear error and conclusions of law de novo. *Navajo Nation v. U.S. Forest Service*, 535 F.3d 1058, 1067 (9th Cir. 2008) (en banc).

The district court's factual findings regarding the amount of damages awarded to Husain are not clearly erroneous. The evidence and the testimony presented during the bench trial are sufficient to establish that the contested expenses were incurred on behalf of the joint venture. The district court properly determined that Husain's testimony and computerized expense reports supplied by Husain provided sufficient evidence to document his expenses. *See U-Haul International, Inc. v. Lumbermens Mutual Casualty Co.*, 576 F.3d 1040, 1044-45 (9th Cir. 2009).

**AFFIRMED.**