

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

TERRY HOBBS

PLAINTIFF

v.

Case No. 4:09CV0008 BSM

NATALIE PASDAR, et al.

DEFENDANTS

ORDER ON BILL OF COSTS

Summary judgment was granted to defendant Natalie Pasdar on December 1, 2009, (Doc. No. 69) and defendant now requests plaintiff Terry Hobbs be ordered to reimburse her for the \$ 17, 590.27 in costs she incurred in defending this case (Doc. No. 69). Plaintiff has not responded.

Federal Rule of Civil Procedure 54(d)(1) provides that, “[e]xcept when express provision therefor is made either in a statute of the United States or in these rules, costs other than attorneys' fees shall be allowed as of course to the prevailing party unless the court otherwise directs.” Moreover, 28 U.S.C. § 1920 defines “costs” and sets forth the categories of trial expenses awardable to a prevailing party under Rule 54(d), including: (1) Fees for the Clerk, (2) Fees for printed or electronically recorded transcripts necessarily obtained for use in the case;” and “(4) Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.” Indeed, the Eighth Circuit has held that “[a] prevailing party is presumptively entitled to recover all of its costs.” *Thompson v. Wal-Mart Stores, Inc.*, 472 F.3d 515, 517 (8th Cir.2006).

Defendant requests \$350.00 for fees of the Clerk associated with removing this case

to federal court, \$2,109.06 in fees for service of 16 subpoenas, and \$646.20 in fees for copies. Defendant also requests \$14,485.01 in fees for printed and electronically recorded transcripts for the following deponents: Terry W. Hobbs (\$8,917.27), Gary Gitchell (1,163.14), Regina Meek (\$767.80), Ross Sampson (\$1,096.40), Alice Leeds (\$1,162.15), and Dennis Riordian (1,164.55). Defendant also requests transcript fees for the deposition of Larry Mitchell (\$213.70). These costs are reasonable and should be awarded.

Accordingly, defendant's bill of costs (Doc. No. 69) is granted and plaintiff Terry Hobbs is hereby ordered to pay defendant's costs in the amount of \$ 17, 590.27.

IT IS SO ORDERED this 9th day of April, 2010.


UNITED STATES DISTRICT JUDGE