

## Procedural Information

This handbook has been prepared to assist parties in properly completing and filing Bills of Costs. (Local Rule 54-1 et seq.)

The prevailing party is entitled to reasonable costs as incurred by the proceedings. No costs are allowed unless a party qualifies as, or is determined by the Court to be, the prevailing party. (Local Rule 54-12)

Bill of Costs hearings are before the Clerk's designee and not the assigned district or magistrate judge. The Clerk's designee for all Divisions (Western Division - Los Angeles, Southern Division - Santa Ana, and Eastern Division - Riverside) is Rosa Morales.

Within ~~145~~ days after the entry of judgment, the party entitled to costs ~~must~~**shall** electronically file a Notice of Application to the Clerk to Tax Costs and ~~a p~~**Proposed** Bill of Costs (Form CV-59). ~~The Notice of Application to the Clerk to Tax Costs and the Bill of Costs shall be prepared as two separate documents.~~ All costs ~~must~~**shall** be specified so that the nature of the claim can be readily understood.

The Notice of Application to the Clerk to Tax Costs ~~must~~**shall** state the date and time the application will be made. Bill of Costs hearings are scheduled on Thursdays and Fridays at 9:00 a.m., 10:00 a.m., 11:00 a.m. and 1:00 p.m. The location of the hearing is "telephonic," as in-person appearances are no longer required unless it is determined that a telephonic or in-person appearance is necessary. The date and time cannot be less than 14 days nor more than 21 days from the date that notice is given to other parties. **The moving party must select the appropriate hearing date and time.** It is not necessary to clear the date or time with the Court or the Clerk's designee. If the hearing date falls on a holiday, then the hearing date is extended to the first accessible day that is not a Saturday, Sunday, or legal or court holiday. **If it is determined that a telephonic or in-person appearance is necessary, the Clerk's designee will contact the parties no later than 48 hours prior to the scheduled hearing date and time.**

Each item that is claimed in the Bill of Costs must be separately itemized. **Documentation of the actual expenses--such as copies of receipts, returned checks, bills, and court orders—~~must~~shall be attached as exhibits to the Proposed Bill of Costs.**

The prevailing party or attorney having knowledge of the facts shall complete the Declaration portion of the **Proposed** Bill of Costs, verifying that the items claimed as costs are correct, the costs have been necessarily incurred in the case, and the services for which fees have been charged were actually and necessarily performed.

Any party may file and serve written objections to any item specified in a **Proposed** Bill of Costs. The grounds for the objection must be specifically stated and must be filed and served no later than 7 days before the date noticed for the application. **No verbal objections will be considered.** A written reply to objections shall be filed and served no later than 3 days before the date noticed for the application. (Local Rule 54-67)

Within 24 hours after filing a Notice of Application to the Clerk to Tax Costs, ~~the~~ and Proposed Bill of Costs, an objection, a reply, or any other related document, a courtesy copy shall be mailed to the Legal Services Unit (attention: Natalie Longoria) or placed in the drop-off box located outside of the Legal Services Unit (room 1027) in the Spring Street Courthouse. Do not submit courtesy copies to the chambers of the assigned district or magistrate judge.

After considering any objections, replies, or other ~~related~~ documents ~~related~~ to the Proposed Bill of Costs, the Clerk's designee shall tax costs. The decision will be final unless modified by the Court upon review. ~~As soon as practicable after Onee~~ a determination of recoverable costs is made, ~~as soon as practicable,~~ the Bill of Costs will be ~~filed~~ electronically ~~filed~~ by the Clerk.

A review by the Court can be obtained by a motion to retax costs filed and served within 7 days of the Clerk's decision. The review will be limited to the record made before the Clerk and will encompass only those items specifically identified in the motion. (Local Rule 54-89)

- For general inquiries, please contact Ms. Longoria at 213-894-8520.
- For inquiries when an objection or any subsequent document has been filed, please contact Ms. Morales at 213-894-0007.
- For inquiries regarding CM/ECF technical support, please contact the Helpdesk at 213-894-0242.

## Other Information

Pro hac vice fees are not recoverable as taxable costs.

Fees for reporter's transcripts, including the cost of the original transcript and one copy of all or any part of a trial transcript, a daily transcript or a transcript of matters occurring before or after trial are recoverable as taxable costs **if requested by the Court or prepared pursuant to stipulation.**

The ~~costs~~ of the original deposition and one copy used for any purpose in ~~the~~ connection with the case are recoverable as taxable costs, but not the cost of videotaped or recorded depositions **unless ordered by the Court.**

The reasonable fees of a deposition reporter, including reporter fees when a deponent fails to appear at a scheduled deposition, the notary, and any other persons required to report or transcribe the deposition are recoverable as taxable costs, but not the costs of video or audio technicians **unless otherwise ordered by the Court.** Expedited rates are not allowable unless ordered by the Court.

Witness fees paid to witnesses as attendance fees are recoverable as taxable costs in the amount of \$40.00 per day.

The following items are recoverable as taxable costs upon order of the Court:

1. Summaries, computations, polls, surveys, statistical comparisons, maps, charts, diagrams, and other visual aids reasonably necessary to assist the jury or the Court in understanding the issues at trial;
2. Photographs, if admitted in evidence or attached to documents necessarily filed and served upon the opposing party; and
3. The cost of models.

Costs incurred in state court prior to removal, ~~which~~ **that** are recoverable under state statutes, are recoverable as taxable costs.

Costs on appeal that are taxable in the District Court shall be governed by F.R.App.P. 39(e). Such Bills of Costs are to be filed no later than ~~2830~~ days after the date the mandate or judgment was issued by the Court of Appeal.

~~€Applications for costs~~ on a bankruptcy appeal decided in the District Court are to be filed within ~~145~~ days of the entered date of the order deciding a bankruptcy appeal. **Taxable costs will be as provided for in Rule 8014 of the Federal Rules of Bankruptcy Procedure. To recover the costs of printing or otherwise reproducing briefs or excerpts of the record, a statement by counsel that the cost is no higher than is generally charged for such reproduction in the local area and that no more copies were reproduced than were actually necessary shall be required. No Clerk's fees not actually paid shall be recoverable. The following are taxable as costs for bankruptcy appeals decided by the District Court:**

- ~~1. The costs of printing or otherwise reproducing briefs or excerpts of the record. A statement by counsel that the cost is no higher than that generally charged for such reproduction in the local area, and that no more copies than what was actually necessary were reproduced, shall be required.~~
- ~~2. The cost of the preparation and transmission of the record;~~
- ~~3. The premium paid for the purchase of a supersedeas or other bond in order to preserve rights pending appeal; and~~
- ~~4. Any Clerk's fees which have actually been paid.~~

## Writs of Execution

Upon request, **when presented with the following**, the Clerk will issue a Writ of Execution (Local Rule 54-911) to recover attorney's fees **awarded by the Court following a judgment included in the judgment** and any separate award of costs by the Clerk **upon presentation of:**

1. A certified copy of the final judgment and separate Bill of Costs and, if appropriate, a certified copy of the order awarding attorney's fees; or
2. A mandate of the Court of Appeals **is presented** to recover costs taxed by the Appellate Court.
- ~~3.~~ See [How to obtain a Writ of Execution](#)

## Attorney's Fees

Any motion or application for attorney's fees shall be served and filed within 14 days after the entry of judgment or other final order, unless otherwise ordered by the Court. The motions are heard only by the judge assigned to the case and must be filed separately from the Bill of Costs application. (See Local Rule 7-2 et seq.)