

**United States Court of Appeals for the Ninth Circuit**

**BILL OF COSTS**

**Note:** If you wish to file a bill of costs, it **MUST** be submitted on this form and filed, with the clerk, with proof of service, within 14 days of the date of entry of judgment, and in accordance with 9th Circuit Rule 39-1. A late bill of costs must be accompanied by a motion showing good cause. Please refer to FRAP 39, 28 U.S.C. § 1920, and 9th Circuit Rule 39-1 when preparing your bill of costs.

American Civil Liberties Union, et al. v. Kroger, et al. 9th Cir. No. 09-35154

The Clerk is requested to tax the following costs against: Defendants-Appellees

Cost Taxable under FRAP 39, 28 U.S.C. § 1920, 9th Cir. R. 39-1	REQUESTED Each Column Must Be Completed				ALLOWED To Be Completed by the Clerk			
	No. of Docs.	Pages per Doc.	Cost per Page*	TOTAL COST	No. of Docs.	Pages per Doc.	Cost per Page*	TOTAL COST
Excerpt of Record	5	344	\$ 0.1	\$ 172			\$	\$
Opening Brief	10	55	\$ 0.1	\$ 55			\$	\$
Answering Brief			\$	\$			\$	\$
Reply Brief	10	12	\$ 0.1	\$ 12			\$	\$
Other**			\$	\$			\$	\$
<b>TOTAL:</b>				\$ 239	<b>TOTAL:</b> \$			

\* Costs per page may not exceed .10 or actual cost, whichever is less. 9th Circuit Rule 39-1.

\*\* Other: Any other requests must be accompanied by a statement explaining why the item(s) should be taxed pursuant to 9th Circuit Rule 39-1. Additional items without such supporting statements will not be considered.

Attorneys' fees **cannot** be requested on this form.

*Continue to next page.*

I,  , swear under penalty of perjury that the services for which costs are taxed were actually and necessarily performed, and that the requested costs were actually expended as listed.

Signature

("s/" plus attorney's name if submitted electronically)

Date

Name of Counsel:

Attorney for:

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(To Be Completed by the Clerk)

Date

Costs are taxed in the amount of \$

Clerk of Court

By:  , Deputy Clerk

**CERTIFICATE OF FILING AND SERVICE**

United States Court of Appeals Docket Number: No. 09-35154

I hereby certify that I electronically filed the foregoing BILL OF COSTS with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on September 29, 2010.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: September 29, 2010

STOEL RIVES LLP

*s/ P. K. Runkles-Pearson*

P. K. Runkles-Pearson, OSB No. 061911

*Attorney for Plaintiffs-Appellants*

*ACLU of Oregon, et al. in 09-35154*