

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

**DIANNA HELTON**

**PLAINTIFF**

**VS.**

**NO. 3:08CV00054**

**SOUTHLAND RACING CORPORATION**

**DEFENDANT**

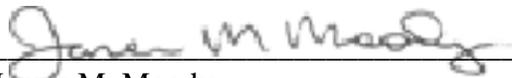
**ORDER**

The Court has reviewed the Bill of Costs submitted by the defendant, the response of the plaintiff and defendant's reply. (Docket #'s 35, 37 and 38). District courts may award costs to a prevailing party. Fed.R.Civ.P. 54(d). However, such costs must be set out in 28 U.S.C. § 1920 or some other statutory authorization. *Smith v. Tenet Healthsystem SL, Inc.* 436 F.3d 879, 889 (8<sup>th</sup> Cir. 2006)

The defendant has requested \$2,312.26 for costs relating to the depositions of the plaintiff and Debbie Scharfetter. The costs related to the videotape of plaintiff's deposition will be disallowed. The Court will award the remaining costs requested.

IT IS THEREFORE ORDERED that Defendant shall be awarded costs to and from Plaintiff in the amount of \$1,572.26.

Dated this 19<sup>th</sup> day of April, 2010.

  
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James M. Moody  
United States District Judge