

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

**AMBER WHITLOCK**

**PLAINTIFF**

**VS.**

**CASE NO. 4:08CV00243 JMM**

**ARKANSAS BLUE CROSS AND  
BLUE SHIELD, ET AL.**

**DEFENDANTS**

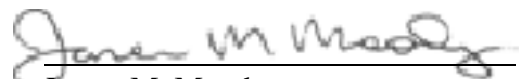
**ORDER**

Pending is Defendants' Bill of Costs and Plaintiff's Objection to Defendants' Bill of Costs. Based upon the record of the case, Defendants' motion is denied (#47).

The Court has considered Plaintiff's limited financial resources, Defendants' requests and the supporting documentation and finds that an award of costs in the case is not warranted. *Cf. Cross v. General Motors Corp.*, 721 F.2d 1152 (8th Cir.1983) (affirming partial award of costs against plaintiff with limited financial resources); *Greaser v. Mo. Dep't of Corr.*, 145 F.3d 979, 985 (8th Cir.), *cert. denied*, 525 U.S. 1056, 119 S.Ct. 620, 142 L.Ed.2d 559 (1998) (federal court has discretion to refuse to tax costs in favor of the prevailing party).

Moreover, Defendants' request are for items this Court considers incidental to ordinary costs of trial preparation.

IT IS SO ORDERED this 18 day of November, 2009.

  
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James M. Moody  
United States District Judge