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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 **GARY WILLIS,**

9 **Plaintiff**

10 **v.**

11 **JOSEPH MULLINS, et al.,**

12 **Defendants**  
13  
14

**CASE NO. 1:04-CV-6542 AWI BAM**

**ORDER RE: REQUEST FOR  
AMENDED JUDGMENT**

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16 Defendants have filed a request to amend the judgment to add the language “Defendants  
17 are the prevailing parties and are entitled to an award of reasonable costs.” Doc. 369. Plaintiff  
18 opposes the request. Doc. 372.

19 There is no need to amend the judgment. Costs are governed by Fed. Rule Civ. Proc.  
20 54(d)(1). The judgment as it exists now does not bar the award of costs in this case. Insofar as  
21 either party objects to an amount taxed by the clerk, that party may make a motion seeking judicial  
22 review of the amount. Arguments concerning who qualifies as a prevailing party may be raised at  
23 that stage of the proceedings.

24 Defendants’ request to amend the judgment is DENIED.

25 IT IS SO ORDERED.

26 Dated: June 24, 2014

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28 SENIOR DISTRICT JUDGE