1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 Case No. 1:17-cv-00416-AWI-SKO 9 AMUR EQUIPMENT FINANCE, INC., ORDER DIRECTING PLAINTIFF TO 10 Plaintiff, SUPPLEMENT RECORD 11 v. (Doc. 22) 12 CHD TRANSPORT, INC. dba SINGH TRANSPORTATION, et al., 13 14 Defendants. 15 16 17 18 Before the Court is Plaintiff's Renewed Motion for Default Judgment (the "Motion"). 19 (Doc. 22.) The Court finds that it requires additional information from Plaintiff in order to rule on 20 the Motion. 21 First, Plaintiff provided insufficient evidence in support of its request for attorney's fees in 22 the Motion. (See id. at 2.) In particular, Plaintiff failed to provide evidence supporting the hourly 23 rates requested for each attorney and professional, such as the pertinent experience for each 24 attorney and professional. (Cf. Doc. 22-6, Declaration of Mitchell D. Cohen, Esq. ("Cohen 25 Decl.") ¶ 7, Ex. 1 (providing the requested hourly rates for five attorneys but failing to provide 26 evidence supporting these requested rates).) The Court finds that additional evidence supporting 27 Plaintiff's request for attorney's fees is necessary. 28

1	Second, Plaintiff provided insufficient information to support its request for costs in the
2	amount of \$2,062.56. (See id.) The Court finds that Plaintiff must submit additional information
3	in support of this request, including an itemization and whether such costs are recoverable under
4	federal law. See generally United States v. Safeco Ins. Co. of Am., 116 F.3d 487, at *2 (9th Cir.
5	1997) ("As a general proposition, an award of costs is governed by federal law under Rule
6	54(d)." (citations omitted)); In re Merrill Lynch Relocation Mgmt., Inc., 812 F.2d 1116, 1120 n.2
7	(9th Cir. 1987) ("As a general proposition, the award of costs is governed by federal law under
8	Rule 54(d)."); <i>United Cal. Bank v. THC Fin. Corp.</i> , 557 F.2d 1351, 1361 (9th Cir. 1977) (applying
9	federal law as to costs and California state law on the issue of attorneys' fees); <i>Bmo Harris Bank</i>
10	N.A. v. Singh, Case No. 1:16-cv-00482-DAD-SAB, 2016 WL 5798841, at *14 (E.D. Cal. Oct. 4,
11	2016) ("In a diversity action, federal not state law controls the issue of costs." (citing <i>Aceves v</i> .
12	Allstate Ins. Co., 68 F.3d 1160, 1167 (9th Cir. 1995))).
13	For these reasons, the Court ORDERS that Plaintiff shall file the following by no later than
14	Monday, September 25, 2017:
15	(1) evidence—such as declarations—supporting Plaintiff's requested hourly rates for <i>each</i>
16	attorney for whom Plaintiff seeks fees in its Motion;
17	(2) an itemization of the total costs that Plaintiff requests in its Motion; and
18	(3) a brief discussion of whether the costs Plaintiff requests are recoverable under federal
19	law.
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21	IT IS SO ORDERED.
22	Dated: September 19, 2017   /s/ Sheila K. Oberto
23	UNITED STATES MAGISTRATE JUDGE
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