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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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GENERAL CHARLES "CHUCK"  
YEAGER, (RET.), and GENERAL  
CHUCK YEAGER FOUNDATION,

NO. CIV. 2:08-102 WBS JFM

Plaintiffs,

v.

ORDER

CONNIE BOWLIN, ED BOWLIN,  
DAVID MCFARLAND, AVIATION  
AUTOGRAPHS, a non-incorporated  
Georgia business entity,  
BOWLIN & ASSOCIATES, INC., a  
Georgia corporation,  
INTERNATIONAL ASSOCIATION OF  
EAGLES, INC., an Alabama  
corporation, SPALDING  
SERVICES, INC., and DOES 1  
through 100, inclusive,

Defendants.

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On January 6, 2010, the court entered final judgment in  
this case in favor of defendants pursuant to the court's January  
6, 2010 Order. Defendants Connie Bowlin, Ed Bowlin, Bowlin &  
Associates, Inc., and Aviation Autographs submitted a cost bill

1 totaling \$8,131.65 on January 19, 2010. On January 29, 2010, the  
2 court issued an Order allowing defendants' costs, noting that  
3 plaintiffs did not object. Plaintiff Charles Yeager then  
4 submitted objections to defendants' bill of costs on February 1,  
5 2010.

6 Under Local Rule 292(c), a "party against whom costs  
7 are claimed may, within seven (7) days from date of service, file  
8 specific objections to claimed items with a statement of grounds  
9 for objection." Before December 1, 2009, the Rule allowed the  
10 party against whom costs were claimed fourteen days to object.  
11 While plaintiff's objections are untimely under the current  
12 version of the Local Rules, the court will give plaintiff the  
13 benefit of the doubt and assume he was unaware of the recent  
14 changes to the Local Rules. Accordingly, the court will consider  
15 plaintiff's objections to the bill of costs.

16 IT IS THEREFORE ORDERED that the court's January 29,  
17 2010 Order allowing defendants' costs be, and the same hereby is,  
18 VACATED AND SET ASIDE.

19 Defendants shall submit any reply to plaintiff's  
20 objections to the bill of costs within ten days of the date of  
21 this Order.

22 IT IS SO ORDERED.

23 DATED: February 3, 2010

24 

25 WILLIAM B. SHUBB  
26 UNITED STATES DISTRICT JUDGE