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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CENTURY SURETY COMPANY, an
Ohio Corporation,

Plaintiff,

v.

MO FOODS, LLC, a limited
liability company; MANISH
PATEL, an individual; TMPM,
LLC, a limited liability
company; PRADIP PATEL, an
individual, NEHA PATEL, an
individual; SEAN CANILOA, an
individual; RUBEN MORALES; an
individual; WAYNE PERARANDA;
an individual; DEBORAH
PENARANDA; an individual; and
PATRICK PENARANDA; an
individual,

Defendants.

No. 2:13-cv-01387-GEB-EFB

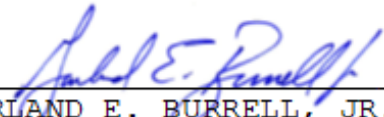
ORDER

Judgment was entered in this case on May 16, 2014,
following the Court's April 24, 2014 order granting Plaintiff's
summary judgment motion. Plaintiff subsequently filed a Bill of
Costs on June 6, 2014, seeking to tax \$2,535.83 in costs. (Pl.'s
Bill of Costs, ECF No. 73.)

Local Rule 292 governs the taxation of costs, and
provides in relevant part that a bill of costs may be filed and
served on all other parties "[w]ithin fourteen (14) days after
entry of judgment." E.D. Cal. R. 292(b).

1 Since Plaintiff's Bill of Costs was filed more than
2 fourteen days after judgment was entered, it is untimely and is
3 denied. See Baldwin v. Redwood City, 540 F.2d 1360, 1375 n.43
4 (9th Cir. 1976) ("[T]he district court's refusal to tax
5 costs . . . because the[] bill of costs was filed three days late
6 was not an abuse of discretion."); see also Holmes v. Merck &
7 Co., No. 2:04-CV-00608-BES(GWF), 2008 WL 4791042, at *4 (D. Nev.
8 Oct. 29, 2008) ("Because the Court concludes that Defendant's
9 Bill of Costs was untimely . . . , Defendant is not entitled to
10 recover its costs in this action.").

11 Dated: June 10, 2014

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16 GARIAND E. BURRELL, JR.
17 Senior United States District Judge
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