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7 *Attorneys for Plaintiffs*

8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 RUTH ELLEN KRUEGER, and
12 DANIEL RONALD KRUEGER,
husband and wife, and the marital
community composed thereof,

13 Plaintiffs,

14 vs.

15 UNITED AIR LINES, INC., an Illinois
Corporation, and UAL
16 CORPORATION, an Illinois
Corporation, XIAOYAN WEI, an
17 individual, YAPING HUANG, an
individual, and YUYING HUANG, an
18 individual,

19 Defendants.

CASE NO.: C 06-4907 MHP

~~[PROPOSED]~~ ORDER RE:
MOTION FOR REVIEW OF
CLERK'S TAXATION OF
COSTS

Date: ~~February 2, 2009~~
Time: ~~2:00 p.m.~~
Courtroom: ~~15 - 18th Floor~~

Honorable Marilyn Hall Patel

20 *The court has reviewed to strike certain costs*
Based upon Plaintiffs' Motion and for good cause shown, the Court hereby
21 ~~strikes all costs~~ requested by defendants UNITED AIR LINES, INC., and UAL

22 CORPORATION, pursuant to 28 U.S.C. sections 1920 and 1924. *Having*
23 *reviewed the motion and the costs allowed, the*
court finds that the costs for transcripts are
24 *allowable and costs in the amount*
IT IS SO ORDERED: *January 9, 2009 of \$1,796.05 are awarded.*

25 Date: 1/9/09

26 *[Signature]*
27 Honorable Marilyn Hall Patel
United States District Court Judge

28
[PROPOSED] ORDER RE: MOTION FOR REVIEW
OF CLERK'S TAXATION OF COSTS

1
235973.WPD
Krueger, et al. v. United Air Lines, Inc., et al.
Case No. C 06-4907 MHP

UNITED STATES DISTRICT COURT

for the

Northern District of California

Ruth Ellen Kruger, et al., plaintiffs

v.

United Air Lines, Inc., et al., defendants

Case No.: C 06-4907 MHP (BZ)

Bill of Costs

Judgment having been entered in the above entitled action 09/30/2008 against plaintiffs, the Clerk is requested to tax the following as costs:

Table with 2 columns: Cost Category and Amount. Categories include Fees of the Clerk, Fees for service of summons and subpoena, Fees of the court reporter, Fees and disbursements for printing, Fees for witnesses, Fees for exemplification, Docket fees, Costs as shown on Mandate of Court of Appeals, Compensation of court-appointed experts, Compensation of interpreters, and Other costs. Total amount is \$5,212.00.

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- Electronic service by e-mail as set forth below and/or.
Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney: /s/ Richard G. Grotch

Name of Attorney: Richard G. Grotch, Coddington, Hicks & Danforth, APC

For: United Air Lines, Inc. and UAL Corporation Date: 10/14/2008

Costs are taxed in the amount of \$1,796.05 and included in the judgment.

RICHARD W. WIEKING
Clerk of Court

By: ANTHONY W. BOWSER
Deputy Clerk

11/5/08
Date

Handwritten initials 'A100'

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME, CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					TOTAL		\$0.00

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys’ Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney’s fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 1 day’s notice. On motion served within the next 5 days, the court may review the clerk’s action

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney’s fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

ATTACHMENT 1 TO BILL OF COSTS

Defendants UNITED AIRLINES, INC. and UAL CORPORATION (hereinafter referred to collectively as "United") respectfully submit the following itemization in support of their bill of costs pursuant to the Judgment of this Court entered on September 30, 2008. It should be noted that United is not seeking to have costs taxed for all depositions taken in the case, all fees incurred, interpreter costs, and the like; rather, United is seeking to have taxed only those deposition costs which relate to its successful motion for judgment which culminated in the entry of Judgment (Doc. 102). These costs are enumerated as follows:

1.	Deposition of Ruth Ellen Krueger	\$1,099.00	874.00
2.	Deposition of Daniel Ronald Krueger	\$666.60	441.60
3.	Deposition of Teresa Hartwig	\$294.00	180.55
4.	Deposition of Lisa Mueller	\$374.90	299.90
5.	Videotape of Ms. Krueger's deposition	\$1,732.50	
6.	Videotape of Mr. Krueger's deposition	\$1,045.00	
	TOTAL	\$5,212.00	

This Court has concluded that both the costs of a written deposition transcript and the costs of deposition videotapes are allowable under Civil L.R. 54-3(c)(1). *Granite Rock Co. v. Teamsters Local 287 Int'l.*, 2008 WL 2697167 (N.D. Cal. 2008).

Obujen & McCutcheon

Invoice

Tax ID #20-1427090

1733 Woodside Road, Suite 370
Redwood City CA 94061
(650) 326-9920

Invoice #: 1457
Invoice Date: 3/20/2007
Due Date: 3/20/2007

Bill To:
Coddington, Hicks & Danforth
555 Twin Dolphin Dr., Suite 300
Redwood City, CA 94065
Attn: Richard G. Grotch, Esq.

PAID
APR 05 2007

FAX # (650) 592-5708

\$1,099.00
Check # 013106 Acct. # *DM*

Case: Krueger v. United Airlines R. KRUEGER

Date Taken: 3/5/2007

Description	Amount
O & 1 Reg - Deposition of: Ruth Ellen Krueger	874.00
Notary service	30.00
Reporter appearance - full day	160.00
Condensed & ASCII	20.00
Shipping	15.00

Please make checks payable to: Obujen & McCutcheon

Total	\$1,099.00
Payments/Credits	\$-1,099.00
Balance Due	\$0.00

(650) 326-9920

Fax: (650) 326-6211

obreporter@aol.com

Obujen & McCutcheon

Invoice

Tax ID #20-1427090

1733 Woodside Road, Suite 370
Redwood City CA 94061
(650) 326-9920

Invoice #: 1458
Invoice Date: 3/20/2007
Due Date: 3/20/2007

Bill To:
Coddington, Hicks & Danforth
555 Twin Dolphin Dr., Suite 300
Redwood City, CA 94065
Attn: Richard Grotch, Esq.

PAID
APR 05 2007

\$666.00
Check #013106 Acct. # *Jem*

Case: Krueger v. United Air Lines D. KRUEGER

Date Taken: 3/6/2007

Description	Amount
O & 1 Reg - Deposition of: Daniel Ronald Krueger	441.60
Notary service	30.00
Reporter appearance - full day	160.00
Condensed & ASCII	20.00
Shipping	15.00

Please make checks payable to: Obujen & McCutcheon

Total	\$666.60
Payments/Credits	\$-666.60
Balance Due	\$0.00

LEGALINK, INC.



270978

MERRILL LEGAL SOLUTIONS

20750 Ventura Boulevard, Suite 205
Woodland Hills, CA 91364

Phone: (818) 593-2300
Fax: (818) 593-2301

CODDINGTON
HICKS & DANFORTH

JUL 23 2007

CAL
INIT

Handwritten initials

Richard G Grotch
Coddington, Hicks & Danforth
555 Twin Dolphin Drive Suite 300
3rd Floor
Redwood City, CA 94065

INVOICE

INVOICE NO.	INVOICE DATE	JOB NUMBER
17081496	07/16/2007	1705-249039
JOB DATE	REPORTER(S)	CASE NUMBER
06/28/2007	LCH	C06-4607MHP
CASE CAPTION		
Ruth Ellen Kruger vs. United Air Lines, Inc.		
TERMS		
Immediate, sold Merrill FOB facility		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Teresa Hartwig
Two-Day Expedite
EXHIBITS
TotalTranscript
Production and Code Comp
Process/Delivery

58 Pages @	2.30/Page	133.40
13 Pages @	.55/Page	7.15
		40.00
		45.00
		20.00

TOTAL DUE >>>> ~~294.00~~

AFTER 8/15/2007 PAY ~~323.40~~

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Chicago, IL

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Richard G Grotch
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555 Twin Dolphin Drive Suite 300
3rd Floor
Redwood City, CA 94065

Invoice No. : 17081496
Date : 07/16/2007
TOTAL DUE : 294.00
AFTER 8/15/2007 PAY : 323.40

Job No. : 1705-249039
Case No. : C06-4607MHP
Ruth Ellen Kruger vs. United Air Lin

Remit To: **Legalink, Inc.**
File 70206
Los Angeles, CA 90074-0206

COAST COURT REPORTERS
18818 Teller Avenue, Suite 140
Irvine, CA 92612
(949) 250-1230 Fax (949) 250-1255

INVOICE

INVOICE NO.	DATE	JOB NUMBER
1133 ***	07/02/2007	01-1261
JOB DATE	REPORTER(S)	CASE NUMBER
06/29/2007	DURAMO	C 06-4907 MH
CASE CAPTION		
Krueger v. United Airlines		
TERMS		
C.O.D.		

Richard G. Grotch, Esq.
Coddington, Hicks & Danforth
555 Twin Dolphin Dr., Ste. 300
Redwood City, CA 94065

1. CERTIFIED COPY OF TRANSCRIPT OF:
Lisa Mueller
E-Transcript
Shipping/Administration

264.90
35.00
~~75.00~~

TOTAL DUE >>>> 574.90

ck 013426

299.90

D NO. : 05-0594673

(650) 592-5400 Fax (650) 592-5027

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Richard G. Grotch, Esq.
Coddington, Hicks & Danforth
555 Twin Dolphin Dr., Ste. 300
Redwood City, CA 94065

Invoice No. : 1133 ***
Date : 07/02/2007
TOTAL DUE : 374.90

Job No. : 01-1261
Case No. : C 06-4907 MHP
Krueger v. United Airlines

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18818 Teller Avenue, Suite 140
Irvine, CA 92612

LEGALINK, INC.



MERRILL LEGAL SOLUTIONS

135 Main Street, 4th Floor
San Francisco, CA 94105

Phone: (415) 357-4300
Fax: (415) 357-4301

INVOICE

INVOICE NO.	INVOICE DATE	JOB NUMBER
20062915	04/06/2007	2002-392873
JOB DATE	REPORTER(S)	CASE NUMBER
03/06/2007	HOPPTE	
CASE CAPTION		
Krueger vs. United Airlines		
TERMS		
Immediate, sold FOB Merrill facility		

Richard G. Grotch
Coddington, Hicks & Danforth
555 Twin Dolphin Drive
Ste. 300
Redwood City, CA 94065

VIDEOTAPING SERVICES FOR THE DEPOSITION OF:

Daniel R. Krueger (Vol. 1)

ATTENDANCE	5.00 Hours		675.00
Tape Original DV	2.00 Tapes @	35.00/Tape	70.00
Legalink Viewer	3.00 Hours @	95.00/Hour	285.00
Shipping & Handling			15.00

TOTAL DUE >>> 1,045.00

AFTER 5/6/2007 PAY 1,097.25

Please note, our Court Reporting, Video, and Trial Dept. in San Francisco are now conveniently located at the same office:

Merrill Legal Solutions
575 Market Street, 11th Floor
San Francisco, CA 94105

TAX ID NO.: 20-2665382

(650) 592-5400 Fax (650) 592-5027

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Richard G. Grotch
Coddington, Hicks & Danforth
555 Twin Dolphin Drive
Ste. 300
Redwood City, CA 94065

Invoice No.: 20062915
Date : 04/06/2007
TOTAL DUE : 1,045.00
AFTER 5/6/2007 PAY : 1,097.25

Job No. : 2002-392873
Case No. :
Krueger vs. United Airlines

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File 70206
Los Angeles, CA 90074-0206

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San Francisco, CA 94105

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INVOICE

INVOICE NO.	INVOICE DATE	JOB NUMBER
20062911	04/06/2007	2002-392871
JOB DATE	REPORTER(S)	CASE NUMBER
03/05/2007	MURRPA	
CASE CAPTION		

Krueger vs. United Airlines

TERMS

Immediate, sold FOB Merrill facility

Richard G. Grotch
Coddington, Hicks & Danforth
555 Twin Dolphin Drive
Ste. 300
Redwood City, CA 94065

VIDEOTAPING SERVICES FOR THE DEPOSITION OF:

Ruth E. Krueger (Vol. 1)

ATTENDANCE	7.50 Hours		912.50
Tape Original DV	4.00 Tapes @	35.00/Tape	140.00
Legalink Viewer	7.00 Hours @	95.00/Hour	665.00
Shipping & Handling			15.00

TOTAL DUE >>>> 1,732.50

AFTER 5/6/2007 PAY 1,819.13

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San Francisco, CA 94105

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Richard G. Grotch
Coddington, Hicks & Danforth
555 Twin Dolphin Drive
Ste. 300
Redwood City, CA 94065

Invoice No.: 20062911
Date : 04/06/2007
TOTAL DUE : 1,732.50
AFTER 5/6/2007 PAY : 1,819.13

Job No. : 2002-392871
Case No. :
Krueger vs. United Airlines

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File 70206
Los Angeles, CA 90074-0206