

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

INNOVATIVE TECHNOLOGY DISTRIBUTORS, LLC,)	Case No.: 11-CV-1043-LHK
)	
Plaintiff,)	ORDER ASSESSING JURY COSTS
v.)	
ORACLE AMERICA, INC. and ORACLE CORPORATION,)	
)	
Defendants.)	

At 12:53 a.m. on Friday, October 12, 2012, the parties filed a Stipulation of Dismissal with Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). *See* ECF No. 221. Jury selection was set to begin that same day, October 12, 2012, at 1:30 p.m. On the morning of October 12, 2012, the Court notified the parties that their Stipulation of Dismissal was filed too late to excuse the potential jurors from appearing for jury duty that afternoon. *See* ECF No. 223. Accordingly, the Court notified the parties that it would assess jury costs pursuant to Civil Local Rule 40-1. *Id.*

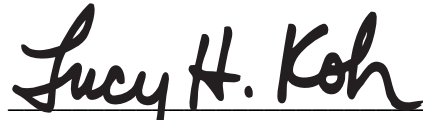
IT IS HEREBY ORDERED that the jury costs in the amount of \$2,974.89 are assessed against the parties. These costs are broken down as follows: (1) \$1720.00 to pay the \$40 per diem attendance fee to 42 potential jurors who appeared; (2) \$664.89 to reimburse the potential jurors for travel costs at \$0.555 per mile; and (3) \$630.00 to pay for parking validation for the potential

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jurors. Any party wishing to contest this assessment may do so by filing a declaration showing cause why the costs should not be assessed by **12:00 p.m. on October 19, 2012**. Otherwise, by that time each party shall pay \$1,487.45, by check payable to the Clerk of Court, United States District Court, 280 South 1st Street, San Jose, CA 95113.

IT IS SO ORDERED.

Dated: October 12, 2012



LUCY H. KOH
United States District Judge