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5 UNITED STATES DISTRICT COURT
6 SOUTHERN DISTRICT OF CALIFORNIA
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8 ROCHELLE NISHIMOTO,
9 Plaintiff,
10 v.
11 COUNTY OF SAN DIEGO, et al.,
12 Defendants.

Case No.: 3:16-cv-1974-BEN-LL

**ORDER ON PLAINTIFF'S MOTION
TO RETAX COSTS
[Doc. 170]**

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14 Plaintiff Nishimoto moves this Court to re-tax and reduce to zero the clerk's order
15 taxing costs of \$21,065.09 for Defendant CPMG and \$21,756.26 for Defendant Brantman.
16 Doc. 170. In the alternative, Plaintiff moves the Court to stay the execution of those costs
17 until Plaintiff's appeal is decided. Because this matter is currently on appeal before the
18 Ninth Circuit, the Court finds a stay in the execution of costs is warranted. Accordingly,
19 Plaintiff's motion is GRANTED as to her alternative request for a stay and DENIED
20 without prejudice to her re-filing her motion to re-tax costs after the appeal has concluded.

21 **IT IS SO ORDERED.**

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23 Date: January 30, 2020


24 HON. ROGER T. BENITEZ
25 United States District Judge
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