

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2008-1386

CLIMAX MOLYBDENUM COMPANY,

Plaintiff,

v.

MOLYCHEM, LLC,

Defendant-Appellee,

v.

RAMON L. PIZARRO,

Defendant-Appellant.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JAN 29 2009

**GREGORY C. LANGHAM**  
CLERK

Appeal from the United States District Court for the District of Colorado in  
case no. 02-CV-00311, Senior Judge Richard P. Matsch.

ON MOTION

Before LOURIE, CLEVINGER and LINN, Circuit Judges.

### ORDER

Molychem, LLC submits a letter which the court treats as a motion to allow the filing of its Bill of Costs pursuant to Fed. R. App. P. 39(d). In the letter dated January 21, 2009, Molychem states that the bill of costs was erroneously appended to its motion for an award of attorney fees.

Upon consideration thereof,

IT IS ORDERED THAT:

Molychem's costs are allowed. Following the issuance of the mandate of the court on December 29, 2008, costs in the amount of \$72.00 were finally determined and taxed in this matter. Costs are taxed with the request that it be added to the mandate in accordance with Fed. R. App. P. 39(d).

FOR THE COURT

JAN 26 2009

Date

Jan Horbaly

Jan Horbaly  
Clerk

cc: Ramon L. Pizarro, Esq.  
Donald T. Trinen, Esq.  
Clerk, U.S. District Court/CO

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

JAN 26 2009

JAN HORBALY  
CLERK

**CERTIFIED COPY**  
I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE.

UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

By [Signature] Date: JAN 26, 2009

BILL OF COSTS (File original and three copies with the Clerk within 14 days of judgment)

Docket No(s): 2008-1386 Caption: Climax Molybdenum Co. v. Molychem, LLC v. Ramon Pizarro

The Clerk is requested to tax the following costs against:

ITEM	Number of copies	Number of pages	Actual cost	Allowable cost	Total billed	Total taxed
Docketing Fee (if paid in this court)	xxxxx	xxxxx	DEC 22 2008			
Table of Designated Materials (original)	xxxxx		United States Court of Appeals For The Federal Circuit	6.00		
Table of Compilation of Designated Materials (copying and collating)				0.08		
Brief (original)			<b>FILED</b> U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT	6.00	\$ 6.00	6.00
Brief (cover and binding)		xxxxx		2.00	2.00	2.00
Brief (copying and collating)	14	50	70.00	0.08	56.00	56.00
Appendix (original - table of contents)	xxxxx			6.00	6.00	6.00
Appendix (covers and binding)		xxxxx		2.00	2.00	2.00
Appendix (copying and collating)				0.08		
Reply Brief (original)	xxxxx			6.00		
Reply Brief (covers and binding)		xxxxx		2.00		
Reply Brief (copying and collating)				0.08		
Other (describe):						
GRAND TOTALS					72.00	72.00 plus

UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT  
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By [Signature] Date: Jan 26, 2009

City/County of Denver ) District/State of Colorado ) SS  
I, Donald T. Trinen, swear under penalty of perjury that the services for which costs are taxed were

necessarily performed. Itemized statements of the costs incurred or invoices are attached. Copies of this bill were served on all parties. The certificate of service is attached.

Signature: [Signature] Date: 12-18-2008 Attorney for: Molychem, LLC  
Defendant-Appellee

Molychem Pizarro Appeal Mot for Atty fees 12-17-08

*Ramon L. Pizarro*

Ramon L. Pizarro, Esq.  
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Denver, CO 80237  
E-mail: [pizarro@4dv.net](mailto:pizarro@4dv.net)

I hereby certify that on the 18th day of December 2008 the undersigned filed the foregoing **BILL OF COSTS** with the Clerk of Court by Federal Express, which has also be served by Federal Express and email to Mr. Pizarro at the following address and e-mail:

CERTIFICATE OF SERVICE