

5) Under Fed. R. Civ. P. 54(d), the clerk of court is to tax the costs after 14 days, after which time the defendants have 7 days to object.

6) Plaintiff's counsel contacted defendants' counsel on February 14, 2017, demanding payment of costs. Initially attorney Julian Johnson responded in an email that the check had been ordered. However, he then said in a subsequent email that he had made a mistake and would be in fact contesting the bill of costs.

7) Plaintiff's bill of costs is reasonable. For example, the bill of costs does not include \$187.50 in court reporter attendance costs for the video deposition of a witness, Essie Gomire, for whom defendants had also ordered a court reporter. *See* Exhibit A.

8) Defendants are acting unreasonably and are deliberately wasting the Court's time and the time of plaintiff's counsel. The whole purpose of Rule 68 is to streamline the settlement process. Nevertheless, defendants delayed payment of the \$20,001.00 settlement for plaintiff and would not negotiate a settlement of attorneys' fees, thus forcing plaintiff's counsel to have to prepare and file a fees petition. Now they are also belatedly attempting to contest a \$499.36 bill of costs.

9) Defendants have had ample time to file their objections. Plaintiff moves this Court for judgment on plaintiff's bill of costs, and is sending to the Court's designated email address the proposed judgment.

WHEREFORE, plaintiff, Alfonso Brown, respectfully asks the Court for judgment of \$499.36 on plaintiff's bill of costs.

Dated: February 17, 2016

/s/ Irene K. Dymkar
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