

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NEW MEXICO ONCOLOGY AND
HEMATOLOGY CONSULTANTS, LTD.,

Plaintiff,

v.

No. CIV 12-526-MV-GBW

PRESBYTERIAN HEALTHCARE
SERVICES, et al.,

Defendants.


**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

This matter comes before me pursuant to Defendants' Motion to Tax Costs [Doc. 855] and Defendants' Motion for Review of Clerk's Order Settling Costs [Doc. 869].

On March 26, 2020, the Magistrate Judge filed his Proposed Findings and Recommended Disposition (PFRD), recommending an award of Defendants' itemized costs [Doc. 855-2], except for the cost of obtaining a transcript of the deposition of witness Stephen Quesada. Doc. 882 at 3-8. The Magistrate Judge also recommended staying enforcement of the award until resolution of Plaintiff's appeal in the Tenth Circuit. *Id.* at 8-10. Objections to the PFRD were due on April 9, 2020 and no party has filed objections. Further, upon review of the record, I concur with the Magistrate Judge's findings and recommendations.

Wherefore, IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 882] are ADOPTED. Defendants' Motion for Review of Clerk's Order Settling Costs [Doc. 869] is GRANTED and Plaintiff is ORDERED to pay costs to Defendants in the total amount of \$85,188.98.

IT IS FURTHER ORDERED that execution of the award shall be stayed, without requiring Plaintiff to post a supersedeas bond, during the pendency of Plaintiff's appeal in the Tenth Circuit.



MARTHA AÑEZ
UNITED STATES DISTRICT JUDGE