

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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OLAF SÖÖT DESIGN, LLC,	:	
	:	
Plaintiff,	:	15-CV-5024 (GBD) (OTW)
	:	
-against-	:	<u>ORDER</u>
	:	
DAKTRONICS, INC. and DAKTRONICS HOIST,	:	
INC.,	:	
	:	
Defendants.	:	

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ONA T. WANG, United States Magistrate Judge:

After a jury verdict for Plaintiff and a Federal Circuit reversal of the judgment of infringement, Defendants submitted a Bill of Costs to the Clerk of the Court. (ECF 427, 428, 429.) Plaintiff objected (ECF 430), and the Clerk of the Court did not tax any costs. (ECF 431.) (“Bill of costs could not be decided by Clerk due to the objections that were filed.”) Defendants sought review of this decision, and provided a proposed amended Bill of Costs that corrected an “administrative mistake” on the declaration, but that did not address any of Plaintiff’s other objections. (ECF 432, 433, 434.) Judge Daniels then referred this “motion” to me.

Defendants’ subsequently-filed, proposed amended Declaration (ECF 434), if accepted for filing, would lead to the same result. It does not address Plaintiff’s prior objections. Accordingly, Defendants are directed to file an amended Bill of Costs by **March 4, 2022**, that, **at a minimum**, addresses Plaintiff’s objections in ECF 430. Separately, the Court has very cursorily reviewed ECF 434 and adds the additional requirements, some of which may overlap with Plaintiff’s objections:

- Defense counsel shall provide legal support their various requests for Costs;
- Defense counsel shall ensure that all charts and corresponding exhibits and invoices are devoid of clerical errors and provide correct dates and amounts to support their requests for Costs; and
- All invoices throughout the submission must be compiled in an organized (preferably chronological) fashion.

This list is not meant to be exhaustive and should not be used as a substitute for counsel's own careful review of the invoices as they draft a new declaration and Bill of Costs. Plaintiff's objections, if any, are due by March 18, 2022. Failure to timely submit an amended Bill of Costs may result in a recommendation of summary denial of the same.

SO ORDERED.

Dated: February 17, 2022
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge