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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JOSE RODRIGUEZ, *et al.*, Plaintiffs, v. CITY OF CLEVELAND, *et al.*, Defendants.	CASE NO. 1:08-CV-1892 OPINION & ORDER [Resolving Doc. No. 202.]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendants—prevailing parties in this case—move for an award of costs in the amount of $4,603.52. *See* [Doc. 202]. Federal Rule of Civil Procedure 54(d)(1) permits the Court to award certain costs to a prevailing party unless a federal statute, the Civil Rules, or a court order provides otherwise. *See* Fed. R. Civ. P. 54(d)(1). Nevertheless, "[i]t is phrased permissively because Rule 54(d) generally grants a federal court discretion to refuse to tax costs in favor of the prevailing party." *Crawford Fitting Co. v. J.T. Gibbons, Inc.*, 482 U.S. 437, 442 (1987).

The Court finds that an award of costs is not appropriate in this case. Accordingly, Defendants' motion is **DENIED**.

IT IS SO ORDERED.

Dated: May 22, 2012

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

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