

UNITED STATES DISTRICT COURT

for the

Northern District of California

CHIN-LI MOU
v.
CITY OF SAN JOSE, SAN JOSE PUBLIC
LIBRARY EDUCATION PARK BRANCH

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Case No.: C07-05740 JF

BILL OF COSTS

Judgment having been entered in the above entitled action on 09/29/2009 against Plaintiff,
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	_____
Fees and disbursements for printing	_____
Fees for witnesses (<i>itemize on page two</i>)	0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case	_____
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (<i>please itemize</i>)	1,079.90
TOTAL	\$ 1,079.90


SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

Electronic service First class mail, postage prepaid

Other: _____

s/ Attorney: 
Name of Attorney: ROBERT BURCHFIEL

For: CITY OF SAN JOSE Date: 10/8/09
Name of Claiming Party

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court By: _____ *Deputy Clerk* _____ *Date*

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME, CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
						TOTAL	\$0.00

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys’ Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney’s fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 1 day’s notice. On motion served within the next 5 days, the court may review the clerk’s action

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney’s fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

1 RICHARD DOYLE, City Attorney (#88625)
2 NORA FRIMANN, Chief Trial Attorney (#93249)
3 ROBERT BURCHFIEL, Sr. Deputy City Attorney (#112318)
4 Office of the City Attorney
5 200 East Santa Clara Street
6 San José, California 95113-1905
7 Telephone Number: (408) 535-1900
8 Facsimile Number: (408) 998-3131
9 E-Mail Address: cao.main@sanjoseca.gov

10 Attorneys for Defendant, CITY OF SAN JOSE

11
12 UNITED STATES DISTRICT COURT
13 NOTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 CHIN-LI MOU,
16 Plaintiff,
17 v.
18 CITY OF SAN JOSE, SAN JOSE PUBLIC
19 LIBRARY EDUCATION PARK BRANCH,
20 Defendants.

Case Number: C07-05740 JF

**DECLARATION OF ROBERT
BURCHFIEL IN SUPPORT OF
DEFENDANT'S BILL OF COSTS**

21 I, Robert Burchfiel, declare as follows:

22 1. That I am one of the attorneys of record for Defendant City of San Jose in
23 the above-captioned action and that I am duly licensed to practice law in the State of
24 California and before the United States District Court for the Northern District of California;


25 2. That attached Exhibit A is a true and correct copy of Atlas Interpreters
26 Invoice No. 280431 dated October 22, 2008 in the amount of \$675.00 for interpreter
27 services rendered for the deposition of Plaintiff on October 10, 2008; and

28 3. That attached Exhibit B is a true and correct copy of Salois & Associates
Invoice for File No. 08-6147 dated October 30, 2008 in the amount of \$404.90 for

1 deposition services rendered (including the original transcript and one copy) for the
2 deposition of Plaintiff on October 10, 2008.

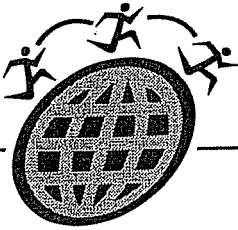
3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct.

5
6 Dated: October 8, 2009



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ROBERT BURCHFIEL
Sr. Deputy City Attorney



Atlas Interpreters

TRANSLATION & INTERPRETATION SERVICES
LEGAL • TECHNICAL • MEDICAL • COMMERCIAL

October 22, 2008

Mr. Robert Burchfield, Esq.
City of San Jose, Attorney's Office
200 E. Santa Clara Street, 15th Floor
San Jose, CA 95113

Amharic Arabic Armenian Bulgarian Cambodian
Cantonese Czech Danish Dutch Farsi Finnish French
German Greek Hebrew Hindi Indonesian Italian
Japanese Korean Laotian Mandarin Polish Portuguese
Punjabi Romanian Russian Spanish Swedish Tagalog Thai
Turkish Vietnamese and more...

Invoice No.: 280431

E.I.N.: 77-0386377

STATEMENT OF SERVICES

Case Name: *Mow chin - Li*
Mow vs. City of San Jose *L-12995-07*
 Case No.: N/A
 Language: **Mandarin (Court Certified)**
 Type of Services: **Consecutive Interpreting (Deposition)**
 Date: October 10, 2008
 Time: From 11:00 a.m. to 4:00 p.m.
 Location: Your office
 Rate: *135.00*
~~\$145.00~~/hr (minimum of four hours - prorated every 15 minutes)
 TOTAL : ~~\$725.00~~ *675.00*

APPROVED
FOR PAYMENT

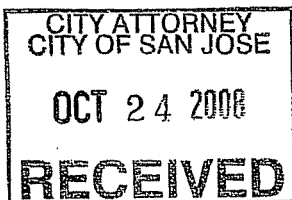
[Signature]
L-12995-07

Thank you.

Please refer to the invoice number on your check.

Please mail all checks and correspondences to our San Jose office

Monthly service charge of 1.5% will be charged to all invoices over 30 days old



100 San Pablo Avenue • San Francisco, California 94127
3150 Almaden Expwy. Suite 241 • San Jose, California 95118
Tel: (800) 835-0339 • FAX: (408) 265-5668 • E-Mail: Atlas@atlasinterpreters.com
www.AtlasInterpreters.com

10/30/08
Lorena @ Atlas
will adjust invoice
to \$ 135.00 per
EXHIBIT A

CITY ATTORNEY
CITY OF SAN JOSE
OCT 31 2008
RECEIVED

SALOIS & ASSOCIATES
CERTIFIED SHORTHAND REPORTERS
1250 Oakmead Parkway, Ste. 210
Sunnyvale, CA 94085-4037
(408) 279-3376

FEDERAL ID# 77-0155159

INVOICE

TO: Robert Burchfiel, Esq.
City Attorney's Office
200 East Santa Clara Street, 16th Floor
San Jose, CA 95113-1905

Chin-Li

RE: Mou v City of San Jose

L-12995-07

Deposition of Chin-Li Mou - 60 pgs. Original and one copy -	246.00 —
Half day per diem	70.00 —
Notary	15.00 —
Notary - Interpreter <i>Not on Contract</i>	15.00
Certificate	5.00 —
Exhibits - 13 pgs.	3.90 —
Condensed transcript with word index	15.00 —
Handling fee	30.00 —
Shipping fee	10.00 —
Shipping fee for original in 30 days	10.00 —

FILE NO: 08-6147

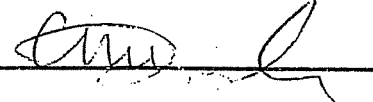
JOB DATE: October 10, 2008

TOTAL AMOUNT DUE \$419.90

404.90

DATE OF BILLING: 10-30-08

APPROVED
FOR PAYMENT



TERMS OF BILLING: NET 30 DAYS - SUBJECT TO 1.5% MONTHLY
PLEASE REFERENCE FILE NUMBER ON YOUR CHECK
PLEASE INCLUDE A COPY OF THIS STATEMENT WITH YOUR CHECK
THANK YOU

EXHIBIT B