

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOUGLAS M. HODCZAK, et al.	)	
Plaintiffs	)	
	)	
v.	)	<b>Case No. 2:08-cv-649</b>
	)	
LATROBE SPECIALTY STEEL CO.	)	
Defendant	)	

TAXATION OF COSTS

On December 29, 2010, summary judgment was granted in favor of the defendant and entered on the docket. A verified Bill of Costs was filed by the defendant and taxing was deferred pending appeal and then until disposition of the *Race Tires America, Inc. v. Hoosier Racing Tire, Corp.* case. The district court was affirmed on appeal by the United States Court of Appeals for the Third Circuit and the *Race Tires* case has been decided. Objections were called for by the plaintiffs and none have been filed.

Therefore, after consideration of the Bill of Costs, a review of the record, and discussions with the trial judge, the Clerk makes the following findings:

1. The defendant is the recovering party and is entitled to costs.
2. The costs of duplicating (Schedule A) will be taxed in the reduced amount of **\$9,539.13** for the E.E.O.C., Pennsylvania Department of Labor & Industry files and duplication costs for papers necessarily obtained for use in case, since there was no objection. The costs for electronic discovery paid to LSS engaged as an e-discovery consultant are disallowed. (See *Race Tires America v. Hoosier Racing Tire*, 674 F.3d 158 (3<sup>rd</sup> Cir. 2012).
3. The costs of printing (Schedule B) are allowed, since there was no objection, and will be taxed in the amount of **\$3,130.35**.

4. The costs of deposition and deposition transcripts (Schedule C) are allowed, since there was no objection, and will be taxed in the amount of **\$9,130.40**.

5. The witness fee (Schedule D) is allowed and taxed in the amount of **\$64.00**.

Therefore, costs are taxed this 26th day of September, 2012 in the amount of **\$21,863.88** in favor of the defendant and against the plaintiffs, and are included in the judgment.

You are advised that any determination of costs by the clerk may be reviewed by the Court upon motion served within **seven** days thereafter, under Rule 54(d) of the Federal Rules of Civil Procedure.

s/R.V. Barth, Jr.  
Robert V. Barth, Jr.  
Clerk of Court

cc: counsel