

APPEAL NO. 17-3352
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

TELESCOPE MEDIA GROUP, a Minnesota corporation, CARL
LARSEN and ANGEL LARSEN, the founders and owners of
TELESCOPE MEDIA GROUP,

Plaintiffs-Appellants,

v.

REBECCA LUCERO, in her official capacity as Commissioner of the
Minnesota Department of Human Rights and KEITH ELLISON, in
his official capacity as Attorney General of Minnesota,

Defendants-Appellees,

On Appeal from the United States District Court
for the District of Minnesota
The Honorable Chief Judge John R. Tunheim
Case No. 0:16-cv-04094-JRT-LIB

PLAINTIFFS-APPELLANTS' BILL OF COSTS

KRISTEN K. WAGGONER
DAVID A. CORTMAN
JEREMY D. TEDESCO
JONATHAN A. SCRUGGS
RORY T. GRAY
JACOB P. WARNER
ALLIANCE DEFENDING FREEDOM
15100 N. 90th Street
Scottsdale, AZ 85260
(480) 444-0020
jtedesco@ADFlegal.org

RENEE K. CARLSON
CARLSON LAW, PLLC
855 Village Center Drive
Suite 259
St. Paul, MN 55127
(612) 455-8950
rcarlson@rkclawmn.com

Attorneys for Plaintiffs/Appellants

Under Fed. R. App. P. 39(a)(4) and Circuit Rule 39A, Plaintiffs-Appellants Telescope Media Group, Carl Larsen and Angel Larsen (the “Larsens”), request an award of their taxable costs against Defendant-Appellee Rebecca Lucero, in her official capacity as Commissioner of the Minnesota Department of Human Rights, and Keith Ellison, in his official capacity as Attorney General of Minnesota. In support, the Larsens state as follows:

BILL OF COSTS

1. In accordance with Fed. R. App. P. 39(d)(1) and Circuit Rule 39A(b), this Motion is timely filed and served within 14 days after the Court entered judgment in Plaintiffs-Appellants’ favor.

2. The following costs are taxable against the Appellee:

Item Description	Cost
Reproduction of Opening Brief	\$.15 x 75 pages = \$11.25
	\$11.25 x 11 copies = \$123.75
	Binding \$2 x 11 copies = \$ 22.00
	Cover \$2 x 11 copies = <u>\$ 22.00</u>
	Total = \$167.75
Reproduction of Addendum to Opening Brief	\$.15 x 68 pages = \$10.20 \$10.20 x 11 copies = <u>\$112.20</u>

	Total = \$112.20
Reproduction of Reply Brief	$\$.15 \times 41 \text{ pages} = \$ 6.15$ $\$6.15 \times 20 \text{ copies} = \123.00 Binding \$2 x 20 copies = \$ 40.00 Cover \$2 x 20 copies = <u>\$ 40.00</u> Total = \$203.00
Reproduction of Appendix	$\$.15 \times 759 \text{ pages} = \$ 113.85$ $\$113.85 \times 4 \text{ copies} = \455.40 Binding \$2 x 4 copies = \$ 32.00 Cover \$2 x 4 copies = <u>\$ 32.00</u> Total = \$519.40
Reproduction of Supplemental Brief	$\$.15 \times 18 \text{ pages} = \$ 2.70$ $\$2.70 \times 20 \text{ copies} = \$ 54.00$ Binding \$2 x 20 copies = \$ 40.00 Cover \$2 x 20 copies = <u>\$ 40.00</u> Total = \$134.00

Plaintiffs-Appellants therefore respectfully request that this Court tax costs in the amount of \$1,136.35 against Defendants-Appellees.

Dated: September 6, 2019

Verified and respectfully submitted by,

s/ Jeremy D. Tedesco

RENEE K. CARLSON
CARLSON LAW, PLLC
855 Village Center Drive
Suite 259
St. Paul, MN 55127
(612) 455-8950
rcarlson@rkclawmn.com

KRISTEN K. WAGGONER
JEREMY D. TEDESCO
JONATHAN A. SCRUGGS
JACOB P. WARNER
ALLIANCE DEFENDING FREEDOM
15100 N. 90th Street
Scottsdale, AZ 85260
(480) 444-0020
(480) 444-0028 Fax
kwaggoner@ADFlegal.org
jtedesco@ADFlegal.org
jscruggs@ADFlegal.org
jwarner@ADFlegal.org

DAVID A. CORTMAN
RORY T. GRAY
1000 Hurricane Shoals Road, NE
Suite D-1100
Lawrenceville, GA 30043
(770) 339-0774
(770) 339-6744 Fax
dcortman@ADFlegal.org
rgray@ADFlegal.org

Attorneys for Plaintiffs/Appellants

CERTIFICATE OF COMPLIANCE WITH RULE 32(a)

Certificate of Compliance with Type-Volume Limitation,
Typeface Requirements, and Type Style Requirements

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because this motion contains 290 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a 14-point proportionally spaced Century Schoolbook typeface using Microsoft Word 2013.

Date: September 6, 2019

s/ Jeremy D. Tedesco
Jeremy D. Tedesco

**CERTIFICATE OF COMPLIANCE WITH
EIGHTH CIR. R. 28A(h)**

This motion has been scanned for viruses with the most recent version of a commercial virus scanning program, Traps Version 4.2.2, and are free of viruses according to that program. In addition, I certify all required privacy redactions have been made.

Date: September 6, 2019

s/ Jeremy D. Tedesco
Jeremy D. Tedesco

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2019, a true and accurate copy of the foregoing was electronically filed with the Court using the CM/ECF system. I certify that all participants in the case who are registered CM/ECF users will receive service through the CM/ECF system.

I also certify that I have sent a true and accurate paper copy of the foregoing to each counsel of record for Appellees and Amicus parties by depositing the same in the U.S. Mail with prepaid postage to:

Janine Wetzel Kimble
Liz Kramer
Hillary Taylor
MINNESOTA ATTORNEY GENERAL'S OFFICE
445 Minnesota Street, Ste. 1100
St. Paul, MN 55101-2128

Counsel for Defendants/Appellees

John Allen Eidsmoe
FOUNDATION FOR MORAL LAW
1 Dexter Avenue
Montgomery, AL 36104-1264

Counsel of Record for Amicus Foundation for Moral Law

Jefferson Downing
KEATING & O'GARA
Suite 100
530 S. 13th Street
Lincoln, NE 68508-2795

*Counsel of Record for Amicus Center for Constitutional
Jurisprudence*

Steven W. Fitschen
NATIONAL LEGAL FOUNDATION
2224 Virginia Beach Boulevard
Virginia Beach, VA 23454

Counsel of Record for Amicus Sherif Girgis

Timothy Belz
J. Matthew Belz
OTTSEN, LEGGATT & BELZ, L.C.
112 South Hanley, Second Floor
St. Louis, MO 63105-3418

*Counsel of Record for Amicus Ryan T. Anderson, Ph.D., and
African-American and Civil Rights Leaders*

David T. Bydalek
OFFICE OF THE ATTORNEY GENERAL
2115 State Capitol
Lincoln, NE 68509

*Counsel of Record for Amicus States of Alabama, Arkansas,
Kansas, Louisiana, Missouri, Nebraska, Oklahoma,
South Carolina, Texas and West Virginia*

Jonathan R. Whitehead
**LAW OFFICES OF JONATHAN R.
WHITEHEAD LLC**
229 S.E. Douglas Street, Ste. 210
Lee's Summit, MO 64063

Counsel of Record for Amicus Cato Institute and 11 Legal Scholars

Teresa Nelson
**AMERICAN CIVIL LIBERTIES UNION
OF MINNESOTA**
2300 Myrtle Avenue, Suite 180
Saint Paul, MN 55114

*Counsel of Record for Attorneys for Amicus American Civil
Liberties Union of Minnesota*

Elizabeth N. Dewar
COMMONWEALTH OF MASSACHUSETTS
One Ashburton Place
Boston, MA 02108

*Counsel of Record for Amicus States of Massachusetts, Hawaii,
California, Connecticut, Delaware, the District of Columbia,
Illinois, Iowa, Maine, Maryland, New Jersey, New Mexico,
New York, Oregon, Pennsylvania, Rhode Island, Vermont,
Virginia, and Washington*

Richard B. Katskee
**AMERICANS UNITED FOR SEPARATION
OF CHURCH AND STATE**
1310 L Street. NW, Suite 200
Washington, DC 20005

*Counsel of Record for Amicus Americans United for Separation of
Church and State, Anti-Defamation League, Bend the Arc:
A Jewish Partnership for Justice, Central Conference of
American Rabbis, Interfaith Alliance Foundation, Lambda*

*Legal Defense and Education Fund, Inc., Muslim Advocates,
National Council of Jewish Women, Inc., People for the
American Way Foundation, Union for Reform Judaism,
and Women of Reform Judaism*

Date: September 6, 2019

s/ Jeremy D. Tedesco
Attorney for Plaintiffs/Appellants