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Attorneys for Plaintiff

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Email: AWhelan@NCLRights.org
jwilensky@NCLRights.org

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

ADREE EDMO (a/k/a MASON EDMO),

Plaintiff,

v.

IDAHO DEPARTMENT OF CORRECTION;
HENRY ATENCIO, in his official capacity;
JEFF ZMUDA, in his official capacity;
HOWARD KEITH YORDY, in his official
and individual capacities; CORIZON, INC.;
SCOTT ELIASON; MURRAY YOUNG;
RICHARD CRAIG; RONA SIEGERT;
CATHERINE WHINNERY; and DOES 1-15;

Defendants.

Case No.: 1:17-cv-00151-BLW

**PLAINTIFF'S BILL OF COSTS
PURSUANT TO FRAP 39(e)**

Complaint Filed:	April 6, 2017
Discovery Cut-Off:	None Set
Motion Cut-Off:	None Set
Trial Date:	None Set

BILL OF COSTS

In light of the Ninth Circuit’s dismissal of Defendants Idaho Department of Correction and Corizon, Inc.’s Appeal No. 19-35917 (Dkt. No. 257) on November 20, 2019, Plaintiff hereby submits her Bill of Costs pursuant to Federal Rule of Appellate Procedure 39(e).

Where an “appeal is dismissed, costs are taxed against the appellant, unless the parties agree otherwise.” Fed. R. App. P. 39(a)(1). Rule 39(e) sets forth certain costs incurred by a party on appeal that “are taxable in the district court for the benefit of the party entitled to costs under this rule.” Fed. R. App. P. 39(e). Because Defendants’ appeal was dismissed, Plaintiff is entitled to Rule 39(e) costs. As reflected in the itemization below, Plaintiff expended \$129.70 on Appeal No. 19-35917 for transcripts of the October 17, 2019 and October 30, 2019 telephonic status conferences before this Court. Plaintiff attached these transcripts as exhibits in support of her Motion to Dismiss Appeal for Lack of Jurisdiction and Opposition to Defendants-Appellants’ Emergency Motion for Stay (Case No. 19-35917, Dkt. No. 8) and the Ninth Circuit subsequently referenced the district court record, including transcripts, in its order dismissing the appeal (Case No. 19-35917, Dkt. No. 11 at 2). Such costs are expressly taxable against Defendants under Rule 39(e)(2). *See* Fed. R. App. P. 39(e)(2) (allowing recovery for a “reporter’s transcript, if needed to determine the appeal”).

Plaintiff’s counsel declares 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.

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Accordingly, Plaintiff respectfully requests the Clerk of Court to tax costs in the amount of \$129.70 against Defendants pursuant to Federal Rule of Appellate Procedure 39(e) .

Dated: December 4, 2019

Respectfully Submitted,

FERGUSON DURHAM
HADSELL STORMER RENICK & DAI LLP
NATIONAL CENTER FOR LESBIAN RIGHTS
RIFKIN LAW OFFICE

By: /s/ Shaleen Shanbhag
Shaleen Shanbhag
Attorneys for Plaintiffs

ITEMIZATION OF COSTS

Edmo v. IDOC

Case No. 1:17-cv-151-BLW

Billing Category	Invoice/ Payment Date	Description	Amount \$
COURT TRANSCRIPTS	10/17/19	Telephonic Status Conference	20.70
	10/30/19	Telephonic Status Conference	109.00
	Total		\$129.70

HADSELL
STORMER
RENICK
DAI

LLP

November 11, 2019

Katherine Eismann, RMR, CRR
Federal Court Reporter
1373 Jena Drive
Chubbuck, ID 83202

Re: Adree Edmo v. Idaho Department of Correction, et al.
Case No.: 1:17-cv-00151-BLW

Dear Ms. Eismann,

Enclosed you will find check #12297 in the amount of \$20.70 to cover your fee for the October 17, 2019 transcript of proceedings in the above-noted matter. I have enclosed a copy of the related invoice for your convenience.

Sincerely,



Norma A. Molina

Enclosures

AO44
(Rev. 11/07)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

INVOICE NO: 00001281

MAKE CHECKS PAYABLE TO:

Shaleen Shanbhag
Hadsell Stormer & Renick LLP
128 N. Fair Oaks Avenue
Pasadena, CA 91103

KATHERINE EISMANN, RMR, CRR
Federal Court Reporter
1373 Jena Drive
Chubbuck, ID 83202

Phone:

Phone: (702) 409-3556

Tax ID: 26-3550124
katherine_eismann@id.uscourts.gov

CRIMINAL CIVIL

DATE ORDERED: 11-08-2019

DATE DELIVERED:

Case Style: 1:17-CV-151-BLW, Adree Edmo v IDOC

Transcript of proceedings before the Honorable B. Lynn Winmill,
telephonic status conference 10/17/19.

CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary										
14-Day										
Expedited				23	0.90	20.70				20.70
Daily										
Hourly										
Realtime										
Misc. Desc.	MISC. CHARGES:									
TOTAL:									20.70	
LESS DISCOUNT FOR LATE DELIVERY:										
TAX (If Applicable):										
LESS AMOUNT OF DEPOSIT:										
TOTAL REFUND:										
TOTAL DUE:									\$20.70	

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE:

/s/ Katherine Eismann

DATE

11-09-2019

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STORMER
RENICK

LLP

The Marine Building
128 North Fair Oaks Avenue, Suite 204
Pasadena, California 91103
(626) 585-9600

EXPLANATION
Transact - Edmo

AMOUNT
2070

90-8578/3222

12297

PAY AMOUNT OF Twenty \$ 70/100

DOLLARS

CHECK AMOUNT

\$ 20.70

DATE	TO THE ORDER OF	CHECK NUMBER	REFERENCE
11/11/19	Katherine Eismann, RMR, CRR	12297	Edmo

DESCRIPTION
10/17/19 Transact

GENERAL ACCOUNT #2



PACIFIC PREMIER BANK
5200 Inverdale Avenue, Suite 168
Irvine, California 92714

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November 8, 2019

Katherine Eismann, RMR, CRR
Federal Court Reporter
1373 Jena Drive
Chubbuck, ID 83202

Re: Adree Edmo v. Idaho Department of Correction, et al.
Case No.: 1:17-cv-00151-BLW

Dear Ms. Eismann,

Enclosed you will find check #70852 in the amount of \$109.00 to cover your fee for the October 30, 2019 transcript of proceedings in the above noted matter. I have enclosed a copy of the related invoice for your convenience.

Sincerely,



Norma A. Molina

Enclosures

128 North Fair Oaks Avenue, Pasadena, California 91103
Tel: 626.585.9600 • Fax: 626.577.7079 • www.hadsellstormer.com
Pasadena | Los Angeles | Garden Grove

AO44
(Rev. 11/07)UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

INVOICE NO: 00001277

MAKE CHECKS PAYABLE TO:Shaleen Shanbhag
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128 N. Fair Oaks Avenue
Pasadena, CA 91103

Phone:

KATHERINE EISMANN, RMR, CRR
Federal Court Reporter
1373 Jena Drive
Chubbuck, ID 83202

Phone: (702) 409-3556

Tax ID: 26-3550124
katherine_eismann@id.uscourts.gov CRIMINAL CIVIL

DATE ORDERED:

11-07-2019

DATE DELIVERED:

Case Style: 1:17-CV-151-BLW, Adree Edmo v IDOCTranscript of proceedings before the Honorable B. Lynn Winmill,
telephonic status conference 10/30/19.

CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary										
14-Day										
Expedited	20	5.45	109.00							109.00
Daily										
Hourly										
Realtime										
Misc. Desc.	MISC. CHARGES:									
TOTAL:									109.00	
LESS DISCOUNT FOR LATE DELIVERY:										
TAX (If Applicable):										
LESS AMOUNT OF DEPOSIT:										
TOTAL REFUND:										
TOTAL DUE:									\$109.00	

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE:

/s/ Katherine Eismann

DATE

11-07-2019

(All previous editions of this form are cancelled and should be destroyed)

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70852

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The Marine Building
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(626) 585-9600

PACIFIC PREMIER BANK
5200 IRVINDALE AVE, STE. 168
IRVINDALE, CA 91706

90-8578/3222

11/7/2019

PAY TO THE
ORDER OF

Katherine Eismann, RMR, CRR

\$

**109.00

One Hundred Nine and 00/100*****

DOLLARS

Katherine Eismann, RMR, CRR
Federal Court Reporter
1373 Jena Drive
Chubbuck, ID 83202

MEMO

EDMO - Transcripts of proceedings

Katherine Eismann
GENERAL ACCOUNT

⑈070852⑈ ⑆32228578⑆ ⑆140514753⑆

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Katherine Eismann, RMR, CRR

EDMO - Transcripts of proceedings

11/7/2019

70852

109.00

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Pacific Prem. - Gen C EDMO - Transcripts of proceedings

109.00

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of December 2019, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Dylan Eaton
deaton@parsonsbehle. com

J. Kevin West
kwest@parsonsbehle. com

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Brady James Hall
brady@melawfirm.net

Attorneys for IDOC Defendants

/s/ Shaleen Shanbhag

Shaleen Shanbhag