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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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JEAN-MAX DARBOUZE,

Plaintiff,

v.

SPENCER, et al.,

Defendants.

No. 2:23-cv-1419 WBS CSK P

ORDER RE: BILL OF COSTS

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The court granted summary judgment for defendants on August 19, 2026. (Docket No. 78.) Defendants now seek \$3,725.50 in costs for two deposition transcripts. (Bill of Costs (Docket No. 80).) Plaintiff has not objected.

Rule 54(d)(1) provides that "costs -- other than attorney's fees -- should be allowed to the prevailing party." Fed. R. Civ. P. 54(d)(1). Such costs may include "[f]ees for printed or electronically recorded transcripts necessarily obtained for use" and "filing fee[s]." Kalitta Air L.L.C. v.

1 Cent. Tex. Airborne Sys. Inc., 741 F.3d 955, 957-58 (9th Cir.
2 2013) (citing 28 U.S.C. § 1920(1)-(6)) ("The general costs
3 statute [which] defines the term 'costs' as used in Rule
4 54(d)."). "Rule 54(d) creates a presumption in favor of awarding
5 costs to prevailing parties, and it is incumbent upon the losing
6 party to demonstrate why the costs should not be awarded."
7 Stanley v. Univ. of S. Cal., 178 F.3d 1069, 1079 (9th Cir. 1999).

8 The court finds defendants' costs reasonable.
9 \$3,725.50 shall be taxed to plaintiff. See L.R. 292(c).

10 IT IS SO ORDERED.

11 Dated: September 21, 2026

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13 **WILLIAM B. SHUBB**
14 **UNITED STATES DISTRICT JUDGE**
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