

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JARROD GRZESIAK,)	
)	
Plaintiff,)	
)	
vs.)	No. 03 C 7862
)	
P.O. THOMAS LOEB, and P.O. JOHN)	
SIMPSON #9461, individually,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

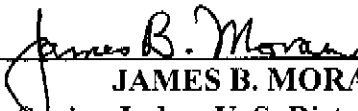
Plaintiff seeks costs of \$2,633.34, consisting of \$150 in fees, \$1,491.20 in deposition costs, witness fees of \$40, reproduction costs of \$389.25, and "other costs" of \$562.89. Defendant Johnson objects to \$44.00 of the deposition costs (and plaintiff agrees), half of the reproduction costs, and all of the "other costs."

We are persuaded by plaintiff's explanation of the need for copies, and we deny the objections to the reproduction costs. But what about the "other costs"? Some, like subpoena fees and medical records, would appear to be recoverable. Others are less clear. Plaintiff asserts all the costs were necessary. Defendant Johnson asserts they are irrelevant to the issues and to him. Neither ties his assertions to the statute respecting costs or explains his assertions, and we are not about to explore the matter on our own. Given the small amount involved, we suggest the parties divide it; we otherwise do not rule.

Finally, defendant wants to apportion costs based on Illinois law. But the award of costs is governed by federal law, and the parties are jointly and severally liable. We decline to apportion

We award costs in the amount of \$2,026.45, and do not rule on the claim for \$562.89.

Oct. 31, 2006.



JAMES B. MORAN
Senior Judge, U. S. District Court