

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

<b>ALFONSO BROWN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Case No. 15 C 2844</b>
	)	
<b>GLENN EVANS, RUBEN VARGAS,</b>	)	<b>Judge Sara L. Ellis</b>
<b>THERESA A. WALDBUESSER,</b>	)	
<b>CHRIS C. YOUNG, LUIS A. CENTENO,</b>	)	<b>Magistrate Judge Sidney I. Schenkier</b>
<b>UNKNOWN OFFICERS OF THE CHICAGO</b>	)	
<b>POLICE DEPARTMENT, and CITY OF</b>	)	
<b>CHICAGO,</b>	)	
	)	
<b>Defendants.</b>	)	

**PLAINTIFF’S MOTION FOR JUDGMENT ON PLAINTIFF’S BILL OF COSTS**

Plaintiff, Alfonso Brown, by and through his attorney, Irene K. Dymkar, hereby moves this Court for judgment on plaintiff’s bill of costs. In support of this motion, plaintiff states:

- 1) This action was commenced by the filing of a complaint alleging a cause of action under the Civil Rights Act of 1871 (42 U.S.C. §1983), to redress deprivations of the civil rights of plaintiff through acts and/or omissions of defendants committed under color of law.
- 2) Plaintiff accepted an offer of judgment on all claims from all defendants on December 12, 2016. Doc. 72. Judgment was entered in plaintiff’s favor on December 13, 2016, for \$20,001.00 Doc. 74.
- 3) No appeal of the judgment has been taken by any party.
- 4) Plaintiff filed a bill of costs on January 6, 2017, for \$499.36. Doc. 76.

5) Under Fed. R. Civ. P. 54(d), the clerk of court is to tax the costs after 14 days, after which time the defendants have 7 days to object.

6) Plaintiff's counsel contacted defendants' counsel on February 14, 2017, demanding payment of costs. Initially attorney Julian Johnson responded in an email that the check had been ordered. However, he then said in a subsequent email that he had made a mistake and would be in fact contesting the bill of costs.

7) Plaintiff's bill of costs is reasonable. For example, the bill of costs does not include \$187.50 in court reporter attendance costs for the video deposition of a witness, Essie Gomire, for whom defendants had also ordered a court reporter. *See* Exhibit A.

8) Defendants are acting unreasonably and are deliberately wasting the Court's time and the time of plaintiff's counsel. The whole purpose of Rule 68 is to streamline the settlement process. Nevertheless, defendants delayed payment of the \$20,001.00 settlement for plaintiff and would not negotiate a settlement of attorneys' fees, thus forcing plaintiff's counsel to have to prepare and file a fees petition. Now they are also belatedly attempting to contest a \$499.36 bill of costs.

9) Defendants have had ample time to file their objections. Plaintiff moves this Court for judgment on plaintiff's bill of costs, and is sending to the Court's designated email address the proposed judgment.

WHEREFORE, plaintiff, Alfonso Brown, respectfully asks the Court for judgment of \$499.36 on plaintiff's bill of costs.

Dated: February 17, 2016

/s/ Irene K. Dymkar  
Irene K. Dymkar

Plaintiff's Attorneys:

Irene K. Dymkar  
Shamoyita M. DasGupta  
Daniel H. Regenscheit  
Law Offices of Irene K. Dymkar  
53 West Jackson, Suite 733  
Chicago, IL 60604  
(312) 345-0123