

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

BILL OF COSTS

versus

No. _____

The Clerk is requested to tax the following costs against:

COURT COSTS TAXABLE UNDER RULE 39 FRAP and 3rd Cir. LAR 39.3

Item*	Reproduction Method (Mark One)		Amount Requested
	Photocopying	Offset or Typographical	
Appellant's Brief			
Appendix			
Appellee's Brief			
Reply Brief			
Sales Tax:			
Docketing Fee - Does not include the \$5.00 filing fee			

TOTAL \$ _____

<u>For Court Use Only</u> Amount Disallowed _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ \$ _____

An itemized statement showing the actual cost per page for reproduction, the cost of all other taxable services and the number of copies for which costs are to be taxed must accompany this bill. If the briefs were produced in-house, a statement from counsel providing this information must accompany the bill.

I, _____ verify under penalty of perjury that the foregoing is true and correct and that the costs were actually and necessarily incurred in this action. A copy was mailed _____ on _____ to opposing counsel.

(Signature) (Date)

Attorney for _____

After any deductions or deletions made above, costs will be taxed in the amount of \$ _____.

Marcia M. Waldron
Clerk

BY:

Date: _____
Deputy Clerk

INSTRUCTIONS

Pursuant to FRAP 39(d) a bill of costs must be filed within fourteen (14) days of the date the Court's judgment, or other final decision, is entered on the docket. The taxation of ordinary costs in this Court is governed by FRAP 39 as well as the relevant portions of 3rd Cir. LAR 39, which are reproduced below, and 3rd Cir. LAR 28.1(a)(iii), 30.5 and Misc. 107.4.

LAR 39.0 COSTS

39.3 Taxation of Reproduction Costs

The cost of printing or otherwise producing necessary copies of briefs and appendices shall be taxable as follows:

(a) **Number of Briefs.** Costs will be allowed for ten (10) copies of each brief plus two (2) copies for each party separately represented, unless the Court shall direct a greater number of briefs to be filed.

(b) **Number of Appendices.** Costs will be allowed for four (4) copies of the Appendix plus one (1) copy for each party separately represented, unless the Court shall direct a greater number of appendices to be filed.

(c) **Costs of Reproduction of Briefs and Appendices.** In taxing costs for printed or photocopied briefs and appendices, the Clerk shall tax costs at the following rates, or at the actual cost, whichever is less, depending upon the manner of reproduction or photocopying:

(1)	Reproduction (whether by offset or typography):	
	Reproduction per page	\$ 4.00
	(for 20 copies or less)	
	Covers (for 20 copies or less)	\$ 50.00
	Binding per copy	\$ 4.00
	Sales tax	Applicable Rate
(2)	Photocopying (whether in house or commercial):	
	Reproduction per page	\$.10
	per copy	
	Binding per copy	\$ 4.00
	Covers	\$ 40.00
	(for 20 copies or less)	
	Sales Tax	Applicable Rate

(d) **Other Costs.** No other costs associated with briefs and appendices, including the costs of typing, word processing, and preparation of tables and footnotes, shall be allowed for purposes of taxation of costs.

Source: 1988 Court Rule 20.1

Cross-references: 28 U.S.C. § 1920; FRAP 39

Committee Comments: Sales tax will be included in the costs only when actually paid to a commercial photocopying service. No substantive change from prior Court Rule 20.1 is intended.

39.4 Filing Date; Support for Bill of Costs

(a) The Court shall deny untimely bills of cost unless a motion showing good cause is filed with the bill.

(b) Parties shall submit the itemized and verified bill of costs on a standard form to be provided by the Clerk.

(c) An answer to objections to a bill of costs may be filed within 10 days of service of the objections.

Source: 1988 Court Rules 20.2, 20.3

Cross-references: FRAP 39

Committee Comments: The portions of prior Court Rules 20.2 and 20.3 that were repetitive of FRAP 39 have been deleted. The rule now specifically allows for an answer to objections, a codification of existing practice. Otherwise, no substantive change from prior Court Rules 20.2 and 20.3 is intended.