

**BILL OF COSTS**

<p style="text-align: center; font-size: 1.2em;"><b>United States District Court</b></p>	<p>DISTRICT OF OREGON</p>
<p>TERI SEE AND DARREL SEE, wife and husband,</p> <p style="text-align: center;">v.</p> <p>REMINGTON ARMS COMPANY, INC., a Delaware corporation,</p>	<p>DOCKET NO.</p> <hr/> <p>MAGISTRATE CASE NO. 81-886 LE</p>

Judgment having been entered in the above entitled action on March 7, 1983 against  
date  
Teri See and Darrel See the clerk is requested to tax the following as costs:

**BILL OF COSTS**

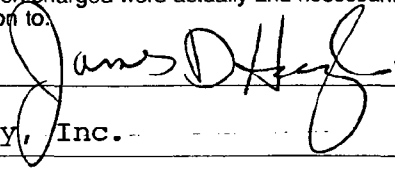
Fees of the clerk .....	\$	
Fees for service of summons and complaint .....		
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case .....	946.80	
Fees and disbursements for printing .....		
Fees for witnesses (itemized on reverse side) .....	5,107.00	
Fees for exemplification and copies of papers necessarily obtained for use in case .....	17.00	
Docket fees under 28 U.S.C. § 1923 .....	20.00	
Costs incident to taking of depositions .....	89.00	
Costs as shown on Mandate of Court of Appeals .....		
Other costs (Please itemize) (see Affidavit) .....	502.40	
TOTAL		\$ 6,582.20

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories. Briefs should also be submitted supporting the necessity of the requested costs and citing cases supporting taxation of those costs.

**DECLARATION**

I declare 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. A copy hereof was this day mailed with postage fully prepaid thereon to:

SIGNATURE OF ATTORNEY



FOR: Remington Arms Company, Inc.

DATE 3/15/83

Name of claiming party

Please take notice that I will appear before the clerk who will tax said costs on the following day and time:

DATE AND TIME

Costs are hereby taxed in the following amount and included in the judgment:

AMOUNT TAXED  
\$

CLERK OF COURT

(BY) DEPUTY CLERK

DATE

WITNESS FEES (computation, cf. 28 U. S. C. 1821 for statutory fees)							
NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Stephen D. Boudreau, Astoria, OR	1	\$30			200	\$33	\$ 63.00
Starr Boudreau, Astoria, OR	1	30			200	33	63.00
James B. McDermott, Astoria, OR	1	30			200	33	63.00
Daniel P. Laughman, Astoria, OR	1	30			200	33	63.00
Clatsop County Sheriff-Service fee on above							60.00
John Linde, Richfield Springs, New York			6	\$450	air-fare	835	1,285.00
James Stekl, New York, NY			5	375	air-fare	998	1,373.00
Robert Hillberg, Cheshire, CT			6	450	air-fare	357	807.00
Bill Davis, Wellsboro, PA			6	450	air-fare	880	1,330.00
						TOTAL	\$5,107.00

**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**Rule 54 (d)**

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

**"Entry of the judgment shall not be delayed for the taxing of costs."**

1 James D. Huegli  
2 SCHWABE, WILLIAMSON, WYATT,  
3 MOORE & ROBERTS  
4 1200 Standard Plaza  
5 1100 SW Sixth Avenue  
6 Portland, OR 97204  
7 Telephone: (503)222-9981

8 Attorneys for Defendant

9

10

11 UNITED STATES DISTRICT COURT

12 FOR THE DISTRICT OF OREGON

13 TERI SEE and DARREL SEE, wife )  
14 and husband, )  
15 )  
16 Plaintiffs, ) Civil No. 81-886 LE  
17 )  
18 v. ) AFFIDAVIT OF JAMES D. HUEGLI  
19 ) IN SUPPORT OF COST BILL  
20 REMINGTON ARMS COMPANY, INC., )  
21 a Delaware corporation, )  
22 )  
23 Defendant. )

24 STATE OF OREGON )  
25 ) ss.  
26 COUNTY OF MULTNOMAH )

27 I, JAMES D. HUEGLI, being first duly sworn, depose and say:

28 That I am one of the attorneys for Remington Arms Company,  
29 Inc., the Defendant herein, and if called to testify in a court of  
30 law, could and would testify from my own personal knowledge as  
31 follows:

32 I have been admitted to the Oregon State Bar since 1972 and  
33 am presently a partner in the law firm of Schwabe, Williamson, Wyatt,  
34 Moore & Roberts, Portland, Oregon. With respect to the costs incurred  
35 in this case, I have kept careful records of all necessary expenditures

Page 1 - AFFIDAVT OF JAMES D. HUEGLI IN SUPPORT OF COST BILL

SCHWABE, WILLIAMSON, WYATT, MOORE & ROBERTS  
Attorneys at Law  
1200 Standard Plaza  
Portland, Oregon 97204  
Telephone 222-9981

1 incurred by Defendant, Remington Arms Company, Inc. in defense of  
2 this case.

3 In the Bill of Cost, the total fees of the court reporter  
4 for transcripts necessarily obtained for use in this case are broken  
5 down as follows:

6	Martin Murphy (Transcripts of depositions	
7	of John Linde, James Stekl, Marshall Hardy,	
8	Gerald Hill, Robert Joy, James Snedeker,	
	taken August 16, 17 & 18, 1982 in Ilion,	
	New York)	\$796.50
9	Geesman & Associates (transcripts of	
10	depositions of Sydney Jackson, Gerald	
11	Cunningham and James Reddick taken August	
12	4 & 5, 1982)	<u>49.30</u>
	TOTAL:	\$846.80

13 Under the category "Fees for Witnesses" as itemized on the  
14 reverse side of the Bill of Costs, the subsistence and mileage  
15 figures are true and accurate to the best of my knowledge.

16 Description of the "Costs Incident to Taking of Depositions"  
17 is as follows:

18	Deposition of James McDermott, April 2, 1982,	
19	witness and mileage fees	\$ 32.00
20	Deposition of Daniel Laughman, April 2, 1982,	
21	witness and mileage fees	32.00
22	Clatsop County Sheriff, service fee (3/24/82)	<u>25.00</u>
23	TOTAL:	\$ 89.00

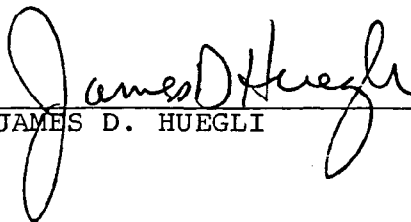
24 Under the category "Fees for Copies of Papers . . ." Defendant  
25 Remington Arms Company, Inc. has incurred the following cost:

26	Weather report used as exhibit from the	
	National Climatic Center	\$ 17.00


1 Under the category "Other Costs," Defendant Remington Arms  
2 Compnay, Inc. has incurred the following costs:

3 Shipping bill to transport one scale model 700  
4 trigger housing assembly from Remington Arms  
5 in Ilion, New York to the trial and back to  
6 Remington Arms (used as exhibit in trial.) \$268.00  
7  
8 Rental of five rifles used as exhibits 234.40  
9  
10 TOTAL: \$502.40

11 I believe that these costs are ordinary and reasonable and  
12 verily state that they have been incurred by the Defendant, Remington  
13 Arms Company, Inc.

14  
15   
16 JAMES D. HUEGLI

17 SUBSCRIBED AND SWORN to before me this 16<sup>th</sup> day of March,  
18 1983.

19   
20 Notary Public for Oregon.  
21 My Commission Expires: 7/4/83

CERTIFICATE — TRUE COPY

I hereby certify that the foregoing copy of .....  
..... is a complete and exact copy of the original.

Dated ....., 19.....

Attorney(s) for .....

ACCEPTANCE OF SERVICE

Due service of the within ..... is hereby accepted  
on ....., 19....., by receiving a true copy thereof.

Attorney(s) for .....

CERTIFICATES OF SERVICE

Personal

I certify that on ....., 19....., I served the within .....  
..... on .....  
attorney of record for .....  
by personally handing to said attorney a true copy thereof.

Attorney(s) for .....

At Office

I certify that on ....., 19....., I served the within .....  
..... on .....  
..... attorney of record for .....  
by leaving a true copy thereof at said attorney's office with his/her clerk therein, or with a person apparently in  
charge thereof, at ....., Oregon.

Attorney(s) for .....

Mailing

Bill of Costs and Affidavit in Support

I hereby certify that I served the foregoing .....  
..... on **Peter R. Chamberlain** .....

attorney(s) of record for **Plaintiffs**  
on **March 16** ....., 19 **83**, by mailing to said attorney(s) a true copy thereof, certified by me  
as such, contained in a sealed envelope, with postage paid, addressed to said attorney(s) at said attorney(s) last  
known address, to-wit: **214 Mohawk Building, 708 SW Third Avenue, Portland,**  
**OR 97204**

and deposited in the post office at **Portland** ....., Oregon, on said day.

Dated **March 16** ....., 19 **83**

s/James D. Huegli

Attorney(s) for **Defendant**

SCHWABE, WILLIAMSON, WYATT,  
MOORE & ROBERTS

ATTORNEYS AT LAW  
1200 Standard Plaza  
Portland, Oregon 97204  
Telephone 222-9981

BACKING SHEET