

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

LUCAS BETANCOURT

v.

EDWARD APICELLA, et. al.

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CIV. NO. 3:05CV1906 (HBF)

RULING ON APPLICATION FOR REIMBURSEMENT OF EXPENSES

On November 7, 2008, counsel was appointed as pro bono counsel to represent plaintiff Lucas Betancourt. On December 16, 2009, the Court granted in part and denied in part defendant's motion for summary judgment. [Doc. #67]. Jury selection began on March 8, 2010, with the start of evidence on March 9, 2010. On March 12, 2010, the jury returned a verdict in favor of the defendants.

Counsel makes an application for reimbursement of expenses [Doc. ## 98 and 99] pursuant to Local Rule 83.10. Counsel requests a total of \$8,285.70 in fees and costs.

Pursuant to Local Rule 54, the following are not taxable as costs: Local Rule 54(7)(xvi) - Telephone calls by counsel and general postage expense; Local Rule 54(7)(v) - Counsel's fees and expenses in arranging for and traveling to a deposition or trial; Local Rule 54(7)(xi) - Computerized legal research fees. However, because Counsel accepted this case pro bono, the actual

expenses incurred will be reimbursed. Accordingly, the following expenses will be allowed:

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|---|----------|
| Facsimile Transmissions | \$282.75 |
| Long Distance Telephone Calls | \$352.67 |
| Postage | \$72.92 |
| 12/11/08 Travel Expense - Client Interview | \$89.39 |
| 12/15/09 Travel Expense - Witness Interview | \$76.18 |
| 2/24/10 Travel Expense - Witness/Client Interview | \$86.55 |
| 2/26/10 Travel Expense - Walk through of PD | \$44.06 |
| 3/8-3/12/10 Travel Expense - Trial | \$85.00 |
| 3/8-3/12/10 Travel Expense - Parking | \$39.00 |

Because the cost to Counsel of computerized research did not increase, the following amount is disallowed: \$3,102.58¹

The Court awards \$5,183.12 in fees and costs to plaintiff's counsel.

SO ORDERED at Bridgeport this 24th day of September 2010.

_____/s/
HOLLY B. FITZSIMMONS
UNITED STATES MAGISTRATE JUDGE

¹ Counsel represented that the firms pays a fixed monthly fee to Lexis regardless of use.