

DISTRICT COURT, LARIMER COUNTY, COLORADO Larimer County Justice Center 201 La Porte Avenue Suite 100 Fort Collins, CO 80521 970-494-3500	▲ COURT USE ONLY ▲
Plaintiff: CITY OF FORT COLLINS, a Colorado municipal corporation; and Poudre Fire Authority, a Colorado public entity, v. Defendant: KEITH GILMARTIN, an individual.	
	Case No.: 16CV31096 Div.: Ctrm: 3C
ORDER REGARDING PLAINTIFFS' BILL OF COSTS	

THIS MATTER is before the Court on Plaintiff's Bill of Costs filed with the Court on October 27, 2017. Defendant Keith Gilmartin has not objected to the Plaintiff's Bill of Costs or otherwise responded. The Court has reviewed Plaintiffs' Bill of Costs and after careful review enters the following findings and order:

The law is well settled in Colorado that the standard for whether an expense is recoverable is whether the expense was "reasonably necessary for the development of the case in light of the facts known to counsel at the time the expense was incurred." *Cherry Creek School Dist. v. Voelker*, 859 P.2d 805, 813-14 (Colo. 1993). Allowable costs include court filing fees, fees for transcripts necessarily obtained for use in the case, witness fees, expert witness fees and copying and exhibit fees. C.R.S. §13-16-122, C.R.S. 2015. However, this list is illustrative and not exclusive. Unless there is a specific prohibition, the trial court has discretion over the issue. However, the court may only permit the recovery of "reasonable" costs, rather than all costs which the successful litigant chose to incur. *Jorgensen v. Heinz*, 847 P.2d 181, 184 (Colo. App. 1992), cert. denied (Colo. 1993).

Based upon the foregoing, the Court orders that Defendant Gilmartin shall be responsible for payment of the following costs, reasonably incurred by Plaintiffs in this matter:

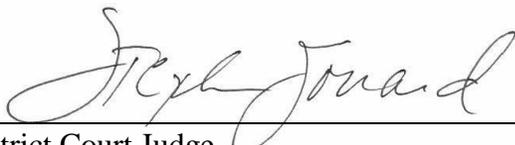
<u>Item</u>	<u>Amount</u>
Docket Fees	\$252.00
Copy Expenses	\$251.90
Deposition Transcript (Gilmartin)	\$864.80
Travel Expenses (excluding meal costs)	\$1,152.54
Miscellaneous Expenses (Excluding web hosting and docketing costs)	<u>\$5.00</u>
Total	\$2,526.24

Accordingly, the Court grants Plaintiffs' bill of costs and orders Defendant Keith Gilmartin to be responsible for payment of costs in the amount of \$2,526.24.

SO ORDERED this 20th day of November, 2017.

BY THE COURT:





District Court Judge