

# Rule 54 – Judgment; Costs

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## OKLAHOMA NORTHERN DISTRICT COURT – REDLINE VERSION

### LCvR54-1 Costs.

- a) A prevailing party who seeks to recover costs against an unsuccessful party shall file a bill of costs on the [form](#) provided by the Court Clerk and support the same with a brief. The bill of costs and brief shall be filed and served not more than fourteen (14) days after entry of judgment. The bill of costs and brief shall be separate documents from the motion for ~~legal-attorney~~ fees and its brief.
- b) The ~~original of the verified~~ bill of costs shall have endorsed thereon proof of service upon the opposite party. The prevailing party shall provide either receipts or documents (or, if unavailable, an affidavit) in support of the requested itemized costs. Objections to the allowance of costs must be filed within twenty-one (21) days from the date the bill of costs was filed. ~~The requirements of Fed. R. Civ. P. 6 (d) are satisfied by this 21-day time period and an additional 3 days may not be added.~~
- c) As soon as practicable after the period for filing objections has elapsed, the Court Clerk will consider the bill of costs. ~~A hearing the bill of costs and any objection may be scheduled at the discretion of the Court Clerk.~~ After consideration of the bill of costs and any objections, the Court Clerk will make disposition and ruling on the bill of costs allowing or disallowing the items in whole or part.
- d) If a bill of costs is properly and timely filed and no written objection thereto is filed within the time herein specified, ~~no appearance is required at the hearing, and~~ the claimed costs may be allowed in full.

**WITH THE EXCEPTION OF SECTION C ALL OTHER CHANGES ARE GRAMMATICAL OR UNNECESSARY AS THEY REPEAT FEDERAL RULE. SECTION C MODIFIED TO ALLOW CLERK OF COURT DISCRETION TO HOLD HEARING OR SIMPLY TAX COSTS EVEN IF OBJECTION FILED.**

### LCvR54-2 Civil Attorney Fees.

- a) A prevailing party who seeks to recover attorney fees against the unsuccessful party shall file a motion for ~~recovery of legal- attorney~~ fees and support the same with a brief and affidavit. ~~A motion for recovery of legal fees with brief shall be a separate document from the bill of costs and its brief.~~
- b) The brief should recite the statutory, contractual, and/or legal authority for the request and, in an affidavit, the amount of time spent on the case, the hourly fee claimed by the attorney, the hourly fee usually charged by the attorney if this differs from the amount claimed in the case, and any other pertinent factors.
- c) ~~(c) Responses in opposition to the allowance of attorney fees must be filed within twenty one (21) days from the date the motion for attorney fees is filed. The requirements of Fed. R. Civ. P. 6 (d) are satisfied by this 21-day time period and an additional 3 days may not be added.~~

~~(c) Social Security Cases - Plaintiff's Motion for Attorney Fees filed in social security cases pursuant to 42 U.S.C. § 406(b) shall include the following forms: Certification of Notice to Plaintiff and Notice to Plaintiff. Both forms shall be made available on the Court's website.~~

**WITH THE EXCEPTION OF NEW SECTION C ALL OTHER CHANGES ARE GRAMMATICAL OR UNNECESSARY AS THEY REPEAT FEDERAL RULE. MOVED LOCAL RULE ON SOCIAL SECURITY CASE ATTORNEY FEES FROM LCvR3.7 TO NEW LCvR54-2.**