

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

MARIO SCOTT,

Plaintiff,

v.

Case No. 8:22-cv-1460-WFJ-JSS

UNITED PARCEL SERVICE, INC.,

Defendant.

ORDER

Before the Court is Defendant United Parcel Service, Inc.’s (“UPS”) unopposed Motion for Costs (Dkt. 30). *See* Local Rule 3.01(c). Upon due consideration, the Court grants UPS’s Motion. UPS is awarded \$1,322.15.

DISCUSSION

Rule 54(d) provides that costs “should be allowed to the prevailing party” unless a federal law, federal rule, or court order provides otherwise. Fed. R. Civ. P. 54(d)(1). Accordingly, there a “strong presumption” that a prevailing party will be awarded costs. *Yellow Pages Photos, Inc. v. Ziplocal, LP*, 846 F.3d 1159, 1166 (11th Cir. 2017) (per curiam) (citation and internal quotations omitted). To recover costs, however, the prevailing party still must present adequate evidence to enable the court to determine the specific costs incurred. *Loranger v. Stierheim*, 10 F.3d 776, 784 (11th Cir. 1994) (per curiam).

Here, UPS seeks \$1,322.15 for the costs of Plaintiff Mario Scott's electronically recorded deposition transcript. Dkt. 30 at 2. In support, UPS's counsel, Laura C. Emadi, has submitted a sworn declaration. Dkt. 30-2. Therein, she attests that "UPS incurred a total of \$1,322.15 in costs for a certified deposition transcript of [Mr. Scott], necessarily obtained for use in this lawsuit." *Id.* at 2.

The Court finds this showing sufficient in the absence of any opposition. Taxation of deposition costs is authorized by section 1920(2) where the subject depositions were necessarily obtained for use in the case. *See U.S. E.E.O.C.*, 213 F.3d at 620–21. In the instant action, Mr. Scott's deposition transcript was not only used—it was heavily relied upon in the Court's Summary Judgment Order. *See generally* Dkt. 28. UPS may therefore recover its costs.

CONCLUSION

The Court **GRANTS** UPS's Motion for Taxation of Costs (Dkt. 30). The Courtroom Deputy Clerk is directed to enter a final bill of costs in the amount of \$1,322.15.

DONE AND ORDERED at Tampa, Florida, on December 18, 2023.

/s/ William F. Jung
WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

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Counsel of Record