

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
FRANCESCO PORTELOS,

Plaintiff,

-against-

LINDA HILL, PRINCIPAL OF I.S. 49, IN HER
OFFICIAL AND INDIVIDUAL CAPACITY AND
ERMINIA CLAUDIO, DISTRICT SUPERINTENDENT
IN HER OFFICIAL AND INDIVIDUAL CAPACITY,

Defendants.

**NOTICE OF
APPLICATION FOR
COSTS SOUGHT
AGAINST PLAINTIFF**

12-CV-3141 (LDH)(VMS)

----- X
PLEASE TAKE NOTICE that, upon defendant's bill of costs, the Declaration of Jessica Giambrone dated September 20, 2016 and the exhibits annexed thereto, and all other pleadings and proceedings had herein, the defendants will move this Court before the Judgment Clerk, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York at 10:00 a.m. on October 3, 2016, or as soon thereafter as counsel may be heard, for an order pursuant to Rule 54 of the Federal Rules of Civil Procedure and 28 U.S.C. § 1921 granting fees and costs sought by defendants and granting such relief as to this Court deems proper.

Date: New York, New York
September 20, 2016

ZACHARY W. CARTER
Corporation Counsel of the City of New York
Attorney for the Defendants
100 Church Street, Room 2-172
New York, New York 10007
212-356-2460

By: /s Jessica Giambrone

Jessica Giambrone
Assistant Corporation Counsel

To. Glass Krakoer, LLP (via ECF)
Bryan D. Glass, Esq
Attorney for Plaintiff
100 Church Street, 8th Floor
New York, New York 10007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
FRANCESCO PORTELOS,

Plaintiff,

-against-

LINDA HILL, PRINCIPAL OF I.S. 49, IN HER
OFFICIAL AND INDIVIDUAL CAPACITY AND
ERMINIA CLAUDIO, DISTRICT SUPERINTENDENT
IN HER OFFICIAL AND INDIVIDUAL CAPACITY

Defendants.

**DECLARATION OF
JESSICA GIAMBRONE
IN SUPPORT OF
DEFENDANTS'
APPLICATION FOR
COSTS AGAINST
PLAINTIFF**

12 Civ. 3141 (LDH)(VMS)
----- X

JESSICA GIAMBRONE, declares pursuant to 28 U.S.C. § 1746 and under penalty of perjury that:

1. I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, counsel for the defendants in this action. I was lead trial counsel in this matter, and, as such, I am fully familiar with the facts and circumstances set forth herein.

2. I submit this Declaration in support of defendants' bill of costs and defendants' application for an award of costs against plaintiff Francesco Portelos ("plaintiff") in this action.

3. Plaintiff commenced this action by filing a Complaint on June 22, 2012. Plaintiff alleged, *inter alia*, that defendants violated plaintiff's rights under the First Amendment of the United States' Constitution as well as under New York Civil Service Law § 75-b.

4. On August 15, 2016, a jury trial in this action commenced in the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, before the Honorable Lashann DeArcy Hall.

5. The jury trial concluded on August 23, 2016, and the jury entered a verdict in favor of the defendants on all claims. Judgment was entered September 14, 2016. See Judgment annexed hereto as Exhibit "A."

6. Defendants are entitled to costs as the prevailing party pursuant to Rule 54 (d)(1) of Federal Rules of Civil Procedure (hereinafter "Fed. R. Civ. P.").

7. Defendants now seek an award of costs in the amount of \$14,727.53 as the prevailing party in accordance with Rule 54(d)(1) of the Fed. R. Civ. P. and Rule 54.1 of the Local Civil Rules of the Eastern District of New York for the items identified below. The costs claimed are correctly stated, are allowable by law, and were necessarily incurred as stated herein. Attached hereto as Exhibit "B" is defendants' bill of costs dated September 16, 2016.

8. Defendants submit a bill for the costs of the pre-trial transcripts necessarily obtained for the purposes of preparation of cross-examinations, resolving issues raised during trial, and preparing further argument at the close of evidence. Defendants are entitled to these costs in the amount of \$372.96 as the prevailing party. A true copy of the invoices from the official court reporters are annexed hereto as Exhibit "C."

9. Defendants submit a bill for the costs of the deposition transcriptions of plaintiff Francesco Portelos, which were utilized in preparing defendants' motion for summary judgment, trial and cross examination at trial. A true copy of the invoices from the stenographer are annexed hereto as Exhibit "D." As indicated, the total cost of plaintiff's depositions are \$2032.55.

10. Defendant submit a bill for the costs of the pre-trial court conference dated May 27, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "E." As indicated, the total cost of that conference is \$659.34.

11. Defendants submit a bill for the costs of the pre-trial court conference dated October 5, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "F." As indicated, the total cost of that conference is \$560.70.

12. Defendants submit a bill for the costs of the pre-trial court conference dated October 16, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "G." As indicated, the total cost of that conference is \$213.06

13. Defendants submit a bill for the costs of the pre-trial court conference dated October 27, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "H." As indicated, the total cost of that conference is \$20.10.

14. Defendants submit a bill for the costs of the pre-trial court conference dated October 30, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "I." As indicated, the total cost of that conference is \$241.20.

15. Defendants submit a bill for the costs of the pre-trial court conference dated December 23, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "J." As indicated, the total cost of that conference is \$205.02.

16. Defendants submit a bill for the costs of the pre-trial court conference dated December 15, 2014 before Magistrate Judge Vera H. Scanlon. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "K." As indicated, the total cost of that conference is \$140.70.

17. Defendants submit a bill for the costs of the pre-trial court conference dated November 20, 2015 before Judge Roslynn R. Mauskopf. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "L." As indicated, the total cost of that conference is 112.14.

18. Defendants submit a bill for the costs of the pre-trial court conference dated July 18, 2016 before Judge Lashann DeArcy Hall. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "M." As indicated, the total cost of that conference is \$146.52.

19. Defendants submit a bill for the costs of the pre-trial court conference dated August 4, 2016 before Judge Lashann DeArcy Hall. A true copy of the invoice from the stenographer is annexed hereto as Exhibit "N." As indicated, the total cost of that conference is \$266.40.

20. Defendants submit a bill for the costs of the trial transcripts necessarily obtained for the purposes of cross-examinations at trial, addressing legal issues raised and resolved during the trial, and summation. Defendants are entitled to these cost in the amount of \$9,678.84 as the prevailing party. A true copy of the invoice from the official court reporter is annexed hereto as Exhibit "O".

WHEREFORE, it is respectfully requested that the Clerk issue an order granting defendants costs in the amount of \$14,727.53.

Dated: New York, New York
September 20, 2016

s/Jessica Giambrone
Jessica Giambrone
Assistant Corporation Counsel

12 Civ. 3141 (LDH)(VMS)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FRANCESCO PORTELOS,

Plaintiff,

-against-

LINDA HILL, PRINCIPAL OF I.S. 49, IN
HER OFFICIAL AND INDIVIDUAL
CAPACITY AND ERMINIA CLAUDIO,
DISTRICT SUPERINTENDENT IN HER
OFFICIAL AND INDIVIDUAL CAPACITY

Defendants.

**NOTICE OF APPLICATION FOR COSTS
AGAINST PLAINTIFF, BILL OF COSTS,
DECLARATION OF JESSICA GIAMBRONE
IN SUPPORT OF DEFENDANTS'
APPLICATION FOR COSTS AGAINST
PLAINTIFF AND ANNEXED EXHIBITS**

ZACHARY W. CARTER

Corporation Counsel of the City of New York
Attorney for Defendant
100 Church Street; Room 2-172

New York, N.Y. 10007

Of Counsel Jessica Giambrone
Tel: (212) 356-2460

Due and timely service is hereby admitted.

New York, N.Y......, 2016

..... Esq.

Attorney for.....

EXHIBIT A

UNITED STATES DISTRICT COURT

for the

Eastern District of New YorkFRANCESCO PORTELOS*Plaintiff*

v.

HILL ET AL.*Defendant*Civil Action No. 12-cv-3141(LDH)

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

☐ the plaintiff (name) _____ recover from the
 defendant (name) _____ the amount of
 dollars (\$ _____), which includes prejudgment
 interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (name) _____
 recover costs from the plaintiff (name) _____

☒ other: The Jury rendered a verdict in favor of the defendants.

This action was (check one):

☒ tried by a jury with Judge LASHANN DEARCY HALL presiding, and the jury has
 rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision
 was reached.

☐ decided by Judge _____ on a motion for _____

Date:

9/14/16

CLERK OF COURT

s/ W. Valentin

Signature of Clerk or Deputy Clerk

EXHIBIT B

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Francesco Portelos

v.

Dept. of Education, et al

Case No.: 12 civ. 3141 (LDH)

BILL OF COSTS

Judgment having been entered in the above entitled action on 09/14/2016 against Francesco Portelos,
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$	
Fees for service of summons and subpoena		
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case		14,727.53
Fees and disbursements for printing		
Fees for witnesses (itemize on page two)		0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.		
Docket fees under 28 U.S.C. 1923		
Costs as shown on Mandate of Court of Appeals		
Compensation of court-appointed experts		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
Other costs (please itemize)		
	TOTAL	\$ 14,727.53

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

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 of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other: _____

s/ Attorney: _____

Name of Attorney: Jessica GiambroneFor: New York City Law Department, 100 Church Street, New York, NY 10007

Name of Claiming Party

Date: 09/16/2016

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

By: _____

Clerk of Court

Deputy Clerk

Date

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					TOTAL		\$0.00

NOTICE

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

"Sec. 1924. Verification of bill of costs."

“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.”

See also Section 1920 of Title 28, which reads in part as follows:

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

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) **Additional Time After Certain Kinds of Service.**

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

EXHIBIT C

Fiore Reporting and Transcription Service, Inc.
 4 Research Drive, Suite 402
 Shelton, CT 06484
 (203)929-9992 cmfiore@sbcglobal.net
 FEIN: 42-1595354

Invoice

DATE	INVOICE #
4/23/2014	4611

VOUCHERED

BILL TO
 Jessica Giambrone, Esq.
 Office of the Corporation Counsel
 The City of New York
 100 Church Street
 New York, NY 10007

DATE: 11/20/14

INV. AMT. PAID: \$ 372.96

VE 2015 0002994

INV. 15-4611

SVS. PERIOD 4/23/14 TO 4/23/14

AG. 025 : B/C 0207 : DET. OBJ. 6220

DUE DATE

5/23/2014

TRANSCRIPT	REF. DOC. PROCEEDING	PAGES	RATE	AMOUNT
Daily	United States District Court Eastern District of New York Before Mag. Judge Vera M. Scanlon Portelos v. City of New York et al Case No. 12-CV-3141 April 17, 2013 Order Processed by Christine Rocco	56	6.66	372.96
a.c.c. Jessica Giambrone Case No. 2012-029495 Date: Nov. 17, 2014 2014 NOV 18 PM 3:45 FISCAL U NYC LAW DE				Total 372.96

EXHIBIT D



Diamond
Reporting & Legal Video
T. 877.624.3287 • www.diamondreporting.com

Fy

NEW YORK CITY LAW DEPARTMENT
PIN # 02507X100A17
100 CHURCH STREET, FISCAL SECTION-ROOM 5-121
NEW YORK, NY 10007
JESSICA GIAMBRONE, ESQ.

INVOICE NO.: 14042403701

INVOICE DATE: 5/6/2014

REPORTER:
GENA NARDONE

PORTELOS, FRANCESCO S CITY OF NEW YORK, NYC DOE,
DENNIS WALCOTT, CHANCELLOR OF NY, ETAL
INDEX NO: 12CV3141 FILE NO: 2012-029495 - LE

TAX ID #: 11-266-5545

BILLER ID: SS

DATE	DESCRIPTION	AMOUNT
4/24/2014	DEPOSITION OF THE PLF., FRANCESCO PORTELOS 141PP+22PGS OF W.I. ORIGINAL & 2 COPIES - YOUR CHARGE APPEARANCE (AM) YOUR CHARGE	\$365 594.95 26.00
	CONTROL #: ZZZ11145	

SUB TOTAL

\$620.95

PAID

\$0.00

BALANCE DUE

\$620.95

I HEREBY CERTIFY: That the claim specified herein is for services rendered and performed by persons employed for the City of New York and that it was necessary for the proper conduct of the business of the City of New York and that it was rendered for the benefit of the City of New York.

Jessica Ciambone May 22, 2014
Assistant Corporation Counsel Date

2014 MAY -7 AM 11:58

VOUCHER
DATE: 10/03/14
620.95
15-1867
14042403701
04/24/14 TO 04/24/14
0201
025

2014 MAY 22 PM 3:31
FISCAL PM 3:31
2015 1404518

** PLEASE NOTE PAYMENT TERMS ARE NET 30 DAYS **
WE ACCEPT ALL MAJOR CREDIT CARDS
WE ACCEPT WIRE TRANSFER - PLEASE CONTACT OUR OFFICE FOR DETAILS
PLEASE NOTE INVOICE NUMBER ON YOUR PAYMENT - THANK YOU

ORIGINAL INVOICE

DIAMOND DEPOSITION CENTERS

PLEASE SEND PAYMENT TO: 16 COURT STREET, SUITE 907, BROOKLYN, NY 11241

Make checks payable to: Diamond Reporting, Inc.

☐ Visa ☐ MC ☐ Amex ☐ Discover ☐ Check

Credit Card #:

Exp. Date:

Name on Card:

Security Code:

New York Offices:
Manhattan, Brooklyn, Bronx,
Queens, Staten Island,
Melville, Mineola, White Plains

New Jersey Offices:
Englewood Cliffs, Audubon



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T.877.624.3287 ♦ www.diamondreporting.com

F715

NEW YORK CITY LAW DEPARTMENT
 PIN # 02507X100A17
 100 CHURCH STREET, FISCAL SECTION-ROOM 5-121
 NEW YORK, NY 10007
 JESSICA GIAMBRONE, ESQ.

INVOICE NO.: 14092604501 ✓

INVOICE DATE: 10/9/2014 A

REPORTER:
 RICHARD AURELIO

PORTELOS, FRANCESCO VS CITY OF NEW YORK, NYC DOE,
 DENNIS WALCOTT, CHANCELLOR OF NY, ETAL
 INDEX NO: 12CV3141 FILE NO: 2012-029495 -LE ✓

TAX ID #: 11-266-5545

BILLER ID: SS

DATE	DESCRIPTION	AMOUNT
9/26/2014	CONT. EXAM. BEFORE TRIAL OF THE PLF., FRANCESCO PORTELOS 217PP+36PGS OF W.I. ORIGINAL & 2 COPIES - YOUR CHARGE APPEARANCE (AM & PM) YOUR CHARGE	923.45 52.00
	CONTROL #:EEE12868	

SUB TOTAL \$975.45

PAID \$0.00

BALANCE DUE \$975.45

I certify that the articles and services
 specified on this invoice have been received and
 verified as to quality and quantity.

Signature

Date

Case #

OCT. 13, 2014

** PLEASE NOTE PAYMENT TERMS ARE NET 30 DAYS **

WE ACCEPT ALL MAJOR CREDIT CARDS

WE ACCEPT WIRE TRANSFER - PLEASE CONTACT OUR OFFICE FOR DETAILS
 PLEASE NOTE INVOICE NUMBER ON YOUR PAYMENT - THANK YOU

COPY

PLEASE SEND PAYMENT TO: 16 COURT STREET, SUITE 907, BROOKLYN, NY 11241

DIAMOND DEPOSITION CENTERS

New York Offices:
 Manhattan, Brooklyn, Bronx,
 Queens, Staten Island,
 Melville, Mineola, White Plains

New Jersey Office:
 Englewood Cliffs

2014 OCT 16 PM 3:27

10/27/14
 975.45
 16-2151
 14092604501
 09/26/14
 0201
 20101404518

025

CTI 025



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FYU

NEW YORK CITY LAW DEPARTMENT
PIN # 02507X100A17
100 CHURCH STREET, FISCAL SECTION-ROOM 5-121
NEW YORK, NY 10007

INVOICE NO.: 14100613401

INVOICE DATE: 10/9/2014

REPORTER:
ANITA TROMBETTA

PORTELOS, FRANCESCO VS CITY OF NEW YORK
FILE NO: 2012-029495

TAX ID #: 11-266-5545

BILLER ID: AM

DATE	DESCRIPTION	AMOUNT
10/6/2014	APPEARANCE OF A COURT REPORTER IN THE ABOVE-ENTITLED MATTER CANCELLATION FEE	78.00

CONTROL #: FFF12978

WITNESSS DID NOT WANT TO APPEAR FOR
DEPOSITION AT SUCH A LATE TIME

SUB TOTAL \$78.00
PAID \$0.00
BALANCE DUE \$78.00

Janet 3-5-2015

** PLEASE NOTE PAYMENT TERMS ARE NET 30 DAYS **
WE ACCEPT ALL MAJOR CREDIT CARDS
WE ACCEPT WIRE TRANSFER - PLEASE CONTACT OUR OFFICE FOR DETAILS
PLEASE NOTE INVOICE NUMBER ON YOUR PAYMENT - THANK YOU

ORIGINAL INVOICE

PLEASE SEND PAYMENT TO: 16 COURT STREET, SUITE 907, BROOKLYN, NY 11241

Make checks payable to: Diamond Reporting, Inc.

Visa ☐ MC ☐ Amex ☐ Discover ☐ Check

Credit Card #:

Exp. Date:

Name on Card:

Security Code:

DIAMOND DEPOSITION CENTERS

New York Office:
Manhattan, Brooklyn, Bronx,
Queens, Staten Island,
Melville, Mineola, West Plains

New Jersey Office:
Englewood Cliffs

2014 OCT 10 10:10:14
2015 MAR 12 12:30
FISCAL UNIT
NYC LAW DEPT

025 CT 025



Diamond
Reporting & Legal Video
T.877.624.3287 ♦ www.diamondreporting.com

Fy15

2014 NOV 24 AM 10:02
NYC LAW

NEW YORK CITY LAW DEPARTMENT
PIN # 02507X100A17
100 CHURCH STREET, FISCAL SECTION-ROOM 5-121
NEW YORK, NY 10007

INVOICE NO.: 14102208601

INVOICE DATE: 11/3/2014

JESSICA GIAMBRONE, ESQ.

REPORTER:
QUINTINA HASKINS

PORTELOS, FRANCESCO VS CITY OF NEW YORK, NYC DOE,
DENNIS WALCOTT, ETAL
INDEX NO: 12CV 3141 (RRM) FILE NO: 2012-029495-LE

TAX ID #: 11-266-5545

BILLER ID: SS

DATE	DESCRIPTION	AMOUNT
10/22/2014	CONT. EXAM. BEFORE TRIAL OF THE PLF., FRANCESCO PORTELOS 76PP+15PGS OF W.I. ORIGINAL & 2 COPIES - YOUR CHARGE	\$365 332.15
	APPEARANCE (PM) YOUR CHARGE	26.00

CONTROL #: FFF13162

SUB TOTAL \$358.15
PAID \$0.00
BALANCE DUE \$358.15

I certify that the articles and services
specified on this invoice have been received and
verified as to quality and quantity.

Signature

Jessica GiambRONE

Date

Nov. 19, 2014

Case #

2012-029495

** PLEASE NOTE PAYMENT TERMS ARE NET 30 DAYS **

WE ACCEPT ALL MAJOR CREDIT CARDS

WE ACCEPT WIRE TRANSFER - PLEASE CONTACT OUR OFFICE FOR DETAILS
PLEASE NOTE INVOICE NUMBER ON YOUR PAYMENT - THANK YOU

COPY

PLEASE SEND PAYMENT TO: 16 COURT STREET, SUITE 907, BROOKLYN, NY 11241

DIAMOND DEPOSITION CENTERS

New York Offices:
Manhattan, Brooklyn, Bronx,
Queens, Staten Island,
Melville, Mineola, White Plains
.....

New Jersey Office:
Englewood Cliffs

2014 NOV -6 PM 4:09

EXHIBIT E

INVOICE # 2014/250

MAKE CHECK PAYABLE TO:Processed By: **Christine Rocco****TRANSCRIPTIONS PLUS II, Inc.**

740 Sharon Road
Copiague NY 11726
E-mail: rl.transcriptions2@gmail.com

Judicial Official: Scanlon

Minutes of Proceedings:

Taxpayer ID No.: 27-3972254

DCN#

Contact Person: Linda Ferrara

LAS#

E-mail: laferrara44@gmail.com**** ALL CREDIT CARD CHARGES WILL APPEAR AS A PAY PAL CHARGE ****

DATE: 9/5/14

INV. AMT. PAID: \$ 659.34 Invoice Date: 9/3/14**Billed To:**

Jgiambrone@law.nyc.gov
Showell@law.nyc.gov

V# 20150001235
INV. # 15-20141250

SVS. PERIOD 9/3/14 TO 9/3/14

sica Giambrone

Aaron Howell

NYC Law Department

AG.

025 : B/C 0207 : DET. OBJ. 6220

REF. DOC. _____

CAPTION	DOCKET #	DATES	CATEGORY	RATE	PAGES	AMOUNT
Portelos v. City of New York et al	12-cv-3141	5-27-14	daily	6.66	99	\$659.34
Total Amount Due:						\$659.34

I certify that the articles and services
specified on this invoice have been received and
verified as to quality and quantity.

Signature _____

Date _____

Case # _____

2012-0294959.4.2014

2014 SEP -5 AM 10:56

EXHIBIT F

MAKE CHECK PAYABLE TO:**TRANSCRIPTIONS PLUS II, Inc.**

740 Sharon Road
Copiague NY 11726
E-mail: rl.transcriptions2@gmail.com

Taxpayer ID No.: 27-3972254

Contact Person: Linda Ferrara

E-mail: laferrara44@gmail.com

Processed By: **Christine Rocco**

Judicial Official: Scanlon

Minutes of Proceedings:

DCN#

LAS#

**** ALL CREDIT CARD CHARGES WILL APPEAR AS A PAY PAL CHARGE ****

Invoice Date: 9/12/14

Billed To:

Jgiambrone@law.nyc.gov
Showell@law.nyc.gov

NYC Law Department

Jessica Giambrone
Case # 2012-029495

CAPTION	DOCKET #	DATES	CATEGORY	RATE	PAGES	AMOUNT
Porelos v. City of NY, et al.	12-cv-3141	9-5-14	expedite	5.34	105	560.70
Total Amount Due:						\$560.70

VOUCHERED

DATE: 9/17/14

INV. AMT. PAID: \$ 560.70

V# 20150001524

INV. # 15-2014 1254

SVS. PERIOD 9/15/14 TO 9/15/14

AG 025 : B/C 0207 DET. OBJ. 6220

RLF. DOC. _____

2014 SEP 16 PM 1:28

EXHIBIT G

Fiore Reporting and Transcription Service, Inc.
 4 Research Drive, Suite 402
 Shelton, CT 06484
 (203)929-9992 cmfiore@sbcglobal.net
 FEIN: 42-1595354

Invoice

DATE	INVOICE #
11/19/2014	4831

BILL TO
Sharon Howell, Esq. Office of the Corporation Counsel The City of New York 100 Church Street New York, NY 10007

I certify that the articles and services specified on this invoice have been received and verified as to quality and quantity.

Signature _____

Date 11-25-14

Case # 2012-029495

DUE DATE

12/19/2014

TRANSCRIPT	PROCEEDING	PAGES	RATE	AMOUNT
Ordinary: Transcript	United States District Court Eastern District of New York Before Mag. Judge Vera M. Scanlon Portelos v. City of NY Case No. 12-CV-3141 October 16, 2014 Order Processed by Christine Rocco	53	4.02	213.06
VOUCHERED DATE: 11/25/14 INV. AMT. PAID: \$ 213.06 V# 2015-0003050 INV. # 15-4831 SVS. PERIOD 10/16/14 TO 10/16/14 025 P/C 0207 DET. OBJ. 6220				2014 NOV 24 AM 10:03 FISCAL DEPT NYCLANDER
Total				213.06

EXHIBIT H

Fiore Reporting and Transcription Service, Inc.
 4 Research Drive, Suite 402
 Shelton, CT 06484
 (203)929-9992 cmfiore@sbcglobal.net
 FEIN: 42-1595354

Invoice

DATE	INVOICE #
12/1/2014	4836

BILL TO

Sharon Howell, Esq.
 Office of the Corporation Counsel
 The City of New York
 100 Church Street
 New York, NY 10007

I certify that the articles and services specified on this invoice have been received and verified as to quality and quantity.

Signature Sharon Howell

Date December 4, 2015

Case # 2012-029495

DUE DATE

12/31/2014

TRANSCRIPT	PROCEEDING	PAGES	RATE	AMOUNT
Ordinary Transcript	United States District Court Eastern District of New York Before Mag. Judge Vera M. Scanlon Portelos v. City of New York Case No.12-CV-3141 October 27, 2014 Order Processed by Christine Rocco	5	4.02	20.10
<p>VOUCHERED DATE: 12/5/14 INV. AMT. PAID: \$ <u>20.10</u> V# <u>20150003235</u> INV. # <u>15-4836</u> SVS. PERIOD <u>10/27/14</u> TO <u>10/27/14</u> AG. <u>025</u> : B/C <u>0207</u> : DET. OBJ. <u>6220</u> REF. DOC. <u>1</u> / <u>1</u></p>				
Total				20.10

2014 DEC -4 PM 2:58

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0002264950 007

Fiore Reporting and Transcription Service, Inc.
 4 Research Drive, Suite 402
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DATE	INVOICE #
1/23/2015	4866

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BILL TO	DATE: 1/30/15
Sharon Howell Office of the Corporation Counsel The City of New York 100 Church Street New York, NY 10007	INV. AMT. PAID: \$ 241.20
	V# 20150004355
	INV. 15-4866

SVC. PERIOD 10/30/14 TO 10/30/14

AG. 025 : B/C 0207 : DET. OBJ. 6220

DUE DATE
2/22/2015

TRANSCRIPT	PROCEEDING	PAGES	RATE	AMOUNT
Ordinary Transcript	United States District Court Eastern District of New York Before Mag. Judge Vera M. Scanlon Portelos v. City of NY et al Case No. 12-CV-3141 October 30, 2014 Order Processed by Loan Hong I certify that the articles and services specified on this invoice have been received and verified as to quality and quantity. Signature <u>[Signature]</u> Date <u>1-27-15</u> Case # <u>2012-029445</u>	60	4.02	241.20
Total				241.20

2015 JAN 29 AM 9:38

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 FEIN: 42-1595354

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Invoice

DATE	INVOICE #
1/31/2015	4869

BILL TO
Sharon Howell Office of the Corporation Counsel The City of New York 100 Church Street New York, NY 10007

VOUCHERED
DATE: 7/14/15

INV. AMT. PAID: \$ 205.02

V# 20160000106

INV. # 15-4869

SVS. PERIOD 1/31/15 TO 1/31/15

DUE DATE
3/2/2015

TRANSCRIPT	AG. PROCEEDING B/C	PAGES	RATE	AMOUNT
Ordinary Transcript	United States District Court Eastern District of New York Before Mag. Judge Vera M. Scanlon Portelos v. City of New York Case No. 12-CV-3141 December 23, 2014 Order Processed by Christine Rocco	51	4.02	205.02

I certify that the articles and services specified on this invoice have been received and verified as to quantity and quality.

Signature

Date

Case #

Sharon Howell
 July 13, 2015
 2012-029495

2015 JUL 14 PM 3:51

A 1.5% per month late fee will be added if not paid by due date.

Total

205.02

EXHIBIT K

VC00143615

INVOICE # 2015/034

MAKE CHECK PAYABLE TO: TRANSCRIPTIONS PLUS II, Inc. 740 Sharon Road Copiague NY 11726 E-mail: rl.transcriptions2@gmail.com Taxpayer ID No.: 27-3972254 Contact Person: Linda Ferrara E-mail: laferara44@gmail.com	Processed By: Loan Hong Judicial Official: Scanlon Minutes of Proceedings: DCN# LAS# 74-15
--	--

2012-029495 LE
 ** ALL CREDIT CARD CHARGES WILL APPEAR AS A PAY PAL CHARGE **

Invoice Date: 2/3/15

refiled herein is for

Billed To: Christopher Aaron Seacord

cseacord@law.nyc.gov

Chris Seacord 7/7/15

CAPTION	DOCKET #	DATES	CATEGORY	RATE	PAGES	AMOUNT
Portelos v. City of New York, et al.	12-cv-3141	12-15-14	ordinary	4.02	35	140.70
Total Amount Due:						\$140.70

VOUCHERED

DATE: 7/8/15

INV. AMT. PAID: \$ 140.70

V# 20150007701

INV. # 15-2015/034

SVS. PERIOD 12/15/14 TO 12/15/14

AG. 025 : B/C 0207 DET. ORJ. 6220

REF. DOC.

2015 JUL -7 PM 12:16

2015 MAY 21 PM 5:00

EXHIBIT L

VOUCHERED

DATE: 12/2/15

INVOICE

INV. DATE: 11/2/15

Invoice #: 113015-01

V# 20160002806

Mary Agnes Drury, RPR

INV# 16-113015-01

Official Court Reporter

SVS. PERIOD 11/20/15

EIN # - 46-1847537

US District Court - Eastern District of New York

G. 025 : BY 0207 DET. OBJ. 225

Cadman Plaza East

3rd Floor

F. DOC. / /

Brooklyn, New York 11201

(718) 613-2615

mad78910@yahoo.com

November 2, 2015

New York City Law Department
100 Church Street - Room 3-227
New York, New York 10007

www.law.nyc.gov

(212) 356-2549

Attn: Sharon Howell

showell@law.nyc.gov

Invoice emailed to : vendorinvoices@law.nyc.gov

I certify that the articles and services
specified on this invoice were received and
verified as to quantity and quality.

Signature

Sharon Howell

Date

Nov. 30, 2015

Case #

2012-029495

Case: Francesco Portelos vs City of New York, Dept of Ed, et al**Case Number:** 12-CV-3141**Case Matter:** Civil Cause for Pre Motion Conference**Date of Proceeding:** 11/20/15**Number of Pages:** 21 pages**Rate:** 7-Day Expedite \$5.34 per pageTotal Due: \$112.14

MasterCard, Visa, American Express & Discover Cards are Gladly Accepted



Thank you so very much !!!

2012-029495

74-16

Rec'd 11-30-15

2015 DEC -1 AM 9:33

EXHIBIT M

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

INVOICE NO: 20160024

MAKE CHECKS PAYABLE TO:

Jessica Giambrone
Corporation Counsel - City of NY
100 Church Street
Room 2-172
New York, NY 10007
Phone: (212) 356-2460
FAX: (212) 356-2089
jgiambro@law.nyc.gov

Linda D. Danelczyk, RPR, CSR
Official Court Reporter
225 Cadman Plaza East - N-364
Brooklyn, NY 11201-1818
Phone: (718) 613-2330
FAX: (718) 804-2712
Tax ID: 81-2297704
LindaDan226@gmail.com

2016 JUL 25 PM 1:41

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NYC LAW DEPT.☐ CRIMINAL ☒ CIVIL

DATE ORDERED:

07-18-2016

DATE DELIVERED:

07-19-2016

Case Style: 12CV3141, Portelos v NYC DOE

Official Court Reporter's DAILY transcript held on 7/18/16. Pages 1-23
SUPPLIED in PDF format via electronic delivery.

CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary										
14-Day										
Expedited										
Daily	22	6.66	146.52							146.52
Hourly										
Realtime										
Misc. Desc.										

VOUCHERED

DATE: 8/17/16

INV. AMT. PAID: \$

146.52

V#

20170000793

INV. #

17-20169024

SVS. PERIOD

7/18/16 TO 7/18/16

MISC. CHARGES:

TOTAL

146.52

LESS DISCOUNT FOR LATE DELIVERY:

TAX (If Applicable):

LESS AMOUNT OF DEPOSIT:

TOTAL REFUND:

TOTAL DUE: \$146.52

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE:

s:/Linda D. Danelczyk

DATE

07-19-2016

EXHIBIT N

11/07)

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

INVOICE NO: 20160099

MAKE CHECKS PAYABLE TO:

Ruby Bradley
New York City Law Department
Office of the Corporation Counsel
100 Church Street
New York, NY 10007
Phone: (212) 356-2441

RBradley@law.nyc.gov

Charleane Heading, RMR, FCRR
Official Court Reporter
225 Cadman Plaza East
Room N-368
Brooklyn, NY 11201-1818
Phone: (718) 613-2643
FAX: (718) 613-2127
Tax ID: 27-4974119
cheading@aol.com

2016 AUG -9 PM 2:04
NYCLAW DEPT

☒ CRIMINAL ☐ CIVIL

DATE ORDERED:

08-04-2016

DATE DELIVERED:

08-05-2016

Case Style: 12CV3141(LDH), Portelos v NYC

Official Court Reporter's DAILY transcript of proceedings held on August 4, 2016.

Pages 1 through 40 SUPPLIED in PDF format via electronic delivery.

CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary										
14-Day										
Expedited										
Daily	40	6.66	266.40							266.40
Hourly										
Realtime										
Misc. Desc.										
AG. <u>025</u> : B/C <u>0207</u> : DET. OBJ. <u>6220</u> REF. DOC. <u>1</u> : TOTAL: 266.40										
I certify that the articles and services specified on this invoice have been received and verified as to quality and quantity.										LESS DISCOUNT FOR LATE DELIVERY: TAX (If Applicable): LESS AMOUNT OF DEPOSIT: TOTAL REFUND: TOTAL DUE: \$266.40

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE:

s:/Charleane M. Heading

DATE

08-05-2016

EXHIBIT O

STACY A. MACE

Official Court Reporter

United States District Court - EDNY
225 Cadman Plaza East - Room N363
Brooklyn, New York 11201
(718) 613-2489

Make check payable to
TO WOIT INC.

EIN: 47-2819508

Invoice 2016-000266

DATE: 30-Aug-16

TO: NYC Law Department - Office of the Corporation Counsel
100 Church Street
New York, New York 10007
Jessica Giambrone, Esq.

BEFORE: Hon. LaShann DeArcy Hall

RE: Portelos v. City of New York, et al.
12-CV-03141 Civil Jury Trial

Date		Pages		Per Page		Total
8-15-16	Pages					
through	1 - 1201					
8-23-16	151 AWI	841		6.66		5,601.06
		511		7.98		4,077.78
						0.00
						0.00
						0.00
						0.00
						0.00
Total Due						\$9,678.84

Official Court Reporter's transcript of CIVIL JURY TRIAL held on
08/15/2016 through 08/23/2016; Pages 1 through 1201 and 151 AWI pages SUPPLIED in
PDF format via electronic delivery daily.

Payment due upon receipt.
Thank you.

Invoice**TO WOIT INC.**

United States District Court - EDNY

225 Cadman Plaza East

Room N363

Brooklyn, NY 11201

Phone: 718-613-2489

smacerpr@gmail.com

Date	Invoice #
7/6/2016	2016-00266

EIN 47-2819508

Bill To
JESSICA GIAMBRONE, ESQ. Office of the Corporation Counsel NYC Law Department 100 Church Street New York, NY 10007

Stacy A. Mace
Official Court Reporter

Judge	Case	Docket No.
LDH	Portelos v. City of NY, et al.	12-CV-03141
	Type of Proceeding	File / Voucher / DCN #
	Civil Jury Trial	--

Pages	Description	Rate	Date of Procee...	Amount	Split Rate
260	CIVIL CASE, ORIGINAL COPY, D/D 229 Transcript 31 AWI	6.66	8/15/2016	1,731.60	
247	CIVIL CASE, ORIGINAL COPY, H/D 218 Transcript 29 AWI	7.98	8/16/2016	1,971.06	
322	CIVIL CASE, ORIGINAL COPY, D/D 288 Transcript 34 AWI	6.66	8/17/2016	2,144.52	
264	CIVIL CASE, ORIGINAL COPY, H/D 233 Transcript 31 AWI	7.98	8/18/2016	2,106.72	
197	CIVIL CASE, ORIGINAL COPY, D/D 171 Transcript 26 AWI	6.66	8/19/2016	1,312.02	
62	CIVIL CASE, ORIGINAL COPY, D/D 62 Transcript Official Court Reporter's DAILY transcript of CIVIL JURY TRIAL held on 08-15-2016 through 08-19-2016 and on 08-23-2016. Pages 1 through 1201 and 151 AWI Pages SUPPLIED in PDF format via electronic delivery.	6.66	8/23/2016	412.92	

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TO WOIT INC.**Balance Due** \$9,678.84**Payments/Credits** \$0.00**Total Balance** \$ 9,678.84