



**Texas Trial Lawyers Association  
Presented:**

**CAR WRECKS CLE SEMINAR**

March 3, 2016  
Houston, TX

September 8 2016  
Austin, TX

October 6, 2016  
Dallas, TX

**Trying Car Wrecks on the Cheap  
APPENDIX 2**

Carolyn Conklin Ostovich  
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CAUSE NO. 123,456-B

JOHN HURT PERSON  
Plaintiff

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§  
§  
§  
§  
§

IN THE 78<sup>TH</sup> DISTRICT COURT

v.  
NEGLIGENT BAD INDIVIDUAL  
Defendant

OF

WICHITA COUNTY, TEXAS

**PLAINTIFF'S ITEMIZED TAXABLE COSTS**

COMES NOW Plaintiff John Hurt Person, subject to his right to file for a new trial and/or appeal under TRCP 329b and The Texas Rules of Civil Procedure, files this his Itemized Taxable Costs pursuant to CPRC § 31.077 so that the court can confirm the costs to be paid prior to signing and entering a final judgment, *Dallas Cty. V. Sweitzer*, 881 S. W.2d 757, 770 (Tex App.-Dallas 1994, writ denied); *Varner v. Howe*, 860 S.W.2d 458, 466 (Tex App. – El Paso 1993, no writ), and show as follows (Exhibit “A”, attached hereto, contains the supporting documentation in the order shown below):

**Clerk Fees and Services Fees** [CPRC § 31.007; Tex. Gov't Code § 51.317; *Shenandoah Assoc. V. J & K Props.*, 741 S. W.2d 470, 487 (Tex. App. – Dallas 1987, writ denied); *Operation Rescue v. Planned Parenthood, Inc.*, 937 S.W.2d 60, 87-88 (Tex. App. – Houston [14<sup>th</sup> Distr.] 1996, aff'd., 975 S. W.2d 6, 8 (Tex App. – Texarkana 1996, no writ).

1/21/09	Wichita County District Clerk	\$260.00
2/25/09	Dependable Investigations, Serve Negligent Individual	\$75.00
2/26/09	Wichita County District Clerk	\$222.20
8/20/10	Dependable Investigation/Serve subpoena/Officer Tidwell	\$150.00
8/23/10	Officer Tidwell Subpoena (cash)	\$10.00

**Court Reporter Fees for Transcripts and Deposition Costs** [CPRC § 31.007; Tex. Gov't Code § 52.047c; *Wallace v. Briggs*, 348 S/W.2d 523, 527 (Tex. 1961); *Rhodes v. Batilla*, 848 S.W. 2d 833, 849 (Tex App. – Houston [14<sup>th</sup> Dist.] 1983, writ denied); TRCP 199.1, 203.2(f); *Allen v. Crabtree*, 936 S.W.2d 6,8 (Tex. App. – Texarkana 1996, no writ).

Arlene Childress, CSR: Deposition of Negligent Individual	\$338.50
Sunbelt Reporting Service: Deposition of Dr. Jacob Badnstein	\$509.80
Sunbelt Reporting Service: Video Deposition of Dr. Jacob Badnstein	\$515.00
Wyatt & Association: Deposition of John Hurt Person	\$238.05

**Costs of Obtaining Medical Records** [TRCP 140; 141; Health & Safety, 241, et al]

Family Health Center/Medical Bills by Affidavit	\$25.00
Family Health Center/Medical Records by Affidavit	\$25.00
Dr. Jacob Badnstein/Medical Records by Affidavit	\$36.00
North Texas Rehabilitation/Medical Records by Affidavit	\$30.00
Walgreens Pharmacy/RX's by Affidavit	\$55.00
Dr. Jacob Badnstein/Updated Records & Bills by Affidavit	\$25.00
Diagnostic NeuroImaging/Medical Bills by Affidavit	\$21.00
Diagnostic NeuroImaging/Medical Records by Affidavit	\$21.00
Dr. Jacob Badnstein/Medical Records & Bills by Affidavit	\$38.00
Wal*Mart Stores/Records by Affidavit	\$19.75
Dr. Richard Suss/Medical Bills by Affidavit	\$50.00

**ADR Fees of an Impartial Third Party** [TRCP 154.054b; *Dectker v. Lindsay*, 824 S.W.2d 247, 249 (Tex. App. – Houston [1<sup>st</sup> Dist.] 1992, orig. proceeding)

Charles Barnard: Mediation Fee \$450.00

**TOTAL TAXABLE COSTS AGAINST DEFENDANT \$3,114.30**

Respectfully submitted,

OSTOVICH & ASSOCIATES, P.C.  
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Fax: 940-322-8580

ATTORNEYS FOR THE PLAINTIFF

By: \_\_\_\_\_  
Carolyn Ostovich  
State Bar No.: 04662020

**CERTIFICATE OF SERVICE**

This is to certify that on this, the \_\_\_\_ day of \_\_\_\_\_, 2010 a true and correct copy of the above and foregoing document has been forwarded to the counsel of record for the Defendant, as indicated below.

- Hand Delivery
- Certified Mail Return Receipt Requested
- Facsimile
- Regular Mail

\_\_\_\_\_  
Carolyn Ostovich

