

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

1998 MTWCC 91

WCC No. 9712-7884

ROGER HUFFMAN

Petitioner

vs.

TWIN CITY FIRE INSURANCE COMPANY

Respondent/Insurer for

BON BON ENTERPRISES,

Employer.

ORDER AWARDING COSTS

Summary: Respondent disputed cost items claimed by claimant following trial, including objection to "telephone charges and postage" without itemization.

Held: The signature of an attorney on the bill of costs is sufficient information to document that all telephone calls and postage relates to the case.

Topics:

Costs: WCC Costs. The signature of an attorney on the bill of costs is sufficient information to document that all telephone calls and postage relates to the case.

¶1 On November 24, 1998, counsel for the petitioner, Mr. Rex Palmer, filed His Bill of Costs in the above-entitled matter. Respondent/insurer's Response to Petitioner's Bill of Costs was filed on December 7, 1998, and petitioner responded on December 14, 1998. Petitioner withdrew his claim for the cost of Mr. Huffman's deposition. A conference call was held on Monday, December 21, 1998, at which time Mr. Palmer further explained the charge relating to the May 6, 1998 travel. Mr. Bronson withdrew the objection to that charge. The remaining objection of the respondent is to "telephone charges and postage". (Respondent/insurer's Response to Petitioner's Bill of Costs at 1.)

¶2 As in the September 14, 1998, Order on Costs in *Derlatka v. Pacific Employer's Insurance Company*, WCC No. 9804-7951, 1998 MTWCC 66:

I find that the signature of the attorney on the bill of costs is sufficient information to document that all telephone calls and postage relates to the matters in this case.

The amount requested for these charges is small, and the effort that would be required to further detail those charges is not warranted in this case.

¶3 The Court finds good cause to grant petitioner's claim for costs as follows:

¶4 IT IS HEREBY ORDERED that the respondent, Twin City Fire Insurance Company, pay to the petitioner's attorney, Mr. Rex Palmer, his costs in the amount of \$502.77 (\$627.27 - 124.50 = \$502.77).

¶5 This Order is signed by the Hearing examiner at the direction of the Judge of the Workers' Compensation Court.

DATED in Helena, Montana, this 22nd day of December, 1998.

(SEAL)

/s/ Clarice V. Beck

CLARICE V. BECK

Hearing Examiner

c: Mr. Rex Palmer

Mr. William O. Bronson

Submitted: December 14, 1998