UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION

Jacqueline Camille Sedwick v. Denis Richard McDonough, Secretary, Department of Veterans Affairs

Sedwick · No. 3:22-cv-02321-S-BT · Decided December 10, 2025

SUMMARY

This report and recommendation addresses Defendant’s bill of costs after summary judgment was entered in favor of the Secretary of Veterans Affairs in Jacqueline Sedwick’s employment-discrimination action. The magistrate judge recommends sustaining Sedwick’s objections in part and ordering her to pay $4,293.28, excluding costs for an audio-synchronized CD, administrative fees, and rough drafts. The recommendation also rejects Sedwick’s equitable arguments for denying costs based on her pro se status and civil-rights claims.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
WRITING FOR THE COURT	Rebecca Rutherford
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	December 10, 2025
DOCKET	3:22-cv-02321-S-BT
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on the prevailing defendant's bill of costs following entry of summary judgment for the defendant in an employment-discrimination action.
STANDARD OF REVIEW	A prevailing party is presumptively entitled to recover taxable costs under Federal Rule of Civil Procedure 54(d)(1), subject to the limitations in 28 U.S.C. § 1920. The party seeking costs bears the burden of proving the amount and necessity of the requested costs; an objection shifts the burden to the prevailing party to establish necessity.
PRECEDENTIAL VALUE	unpublished

TOPICS

costs · civil procedure · summary judgment · racial discrimination · retaliation

PRACTICE AREAS

civil procedure · employment law · civil rights · federal employment law

QUESTIONS PRESENTED

1. Whether the prevailing defendant established that the original deposition transcripts were necessarily obtained for use in the case and therefore taxable under 28 U.S.C. § 1920(2).
2. Whether costs for an audio-synchronized CD, administrative fees, and rough-draft deposition transcripts were taxable costs.
3. Whether equitable considerations, including Sedwick's pro se status and civil-rights allegations, justified denying the defendant's bill of costs.

HOLDINGS

1. The original deposition transcript costs for Sedwick, Gregory Guillermo, and Kimberly Coleman-Prier were taxable because the transcripts were reasonably expected to be used at trial or in trial preparation and were actually cited in Defendant's successful motion for summary judgment.
2. The audio-synchronized CD, administrative fees, and rough-draft costs were not taxable incidental deposition expenses and should be excluded from the bill of costs.
3. Sedwick's pro se status, civil-rights allegations, and asserted equitable concerns did not justify denying the prevailing defendant's otherwise taxable costs.

KEY QUOTATIONS

> *"The Court "may decline to award the costs listed in [§ 1920] but may not award costs omitted from the list.""* (Legal Standard)

> *"Defendant should not be awarded incidental costs associated with the depositions, such as the audio synchronized CD, administrative fees, and rough draft costs."* (Analysis, section B)

> *"For the reasons stated, the District Judge should SUSTAIN in part Sedwick's objections to Defendant's Bill of Costs and ORDER Sedwick to pay $4,293.28 to Defendant."* (Recommendation)

FACTUAL BACKGROUND

Sedwick brought federal employment-related civil-rights claims against the Secretary of Veterans Affairs. After the defendant prevailed on summary judgment, it sought $5,042.28 in costs, principally for deposition transcripts and related deposition expenses. Sedwick objected to the necessity and amount of the transcript charges, challenged audio-synchronized media, administrative fees, and rough-draft costs, and argued that equitable considerations warranted denying costs. The magistrate judge found the original deposition transcripts necessary for trial preparation but concluded that $749.00 in incidental charges was not taxable.

PROCEDURAL HISTORY

Sedwick filed claims alleging racial discrimination, hostile work environment, retaliation, and constructive discharge against the Secretary of Veterans Affairs. The court granted Defendant's motion for summary judgment and entered judgment for Defendant. Defendant then filed a bill of costs seeking $5,042.28 under 28 U.S.C. § 1920 and Federal Rule of Civil Procedure 54(d)(1). After reviewing Sedwick's objections, the magistrate judge recommended sustaining them in part and ordering Sedwick to pay $4,293.28.

DISPOSITION

other

CASES CITED

- Taniguchi v. Kan Pacific Saipan, Ltd., 566 U.S. 560, 573 (2012)
- Coats v. Penrod Drilling Corp., 5 F.3d 877, 891 (5th Cir. 1993)
- Crawford Fitting Co. v. J.T. Gibbons, Inc., 482 U.S. 437, 442, 444–45 (1987)
- Holmes v. Cessna Aircraft Co., 11 F.3d 63, 64 (5th Cir. 1994) (per curiam)
- Fogleman v. ARAMCO, 920 F.2d 278, 285–86 (5th Cir. 1991)
- Harris v. Dallas County Hospital District, 2016 WL 8674685, at *2 (N.D. Tex. Aug. 5, 2016)
- Tempest Publishing, Inc. v. Hacienda Records & Recording Studio, Inc., 141 F. Supp. 3d 712, 717 (S.D. Tex. 2015)
- Woodberry v. Dallas Area Rapid Transit, 2017 WL 1408826, at *2 (N.D. Tex. Apr. 20, 2017)
- Nissho-Iwai Co., Ltd. v. Occidental Crude Sales, Inc., 729 F.2d 1530, 1553 (5th Cir. 1984)
- Allstate Insurance Co. v. Plambeck, 66 F. Supp. 3d 782, 790 (N.D. Tex. 2014)
- Marmillion v. American International Insurance Co., 381 F. App'x 421, 429 (5th Cir. 2010) (per curiam)
- Leal v. Magic Touch Up, Inc., 2019 WL 162885, at *2 (N.D. Tex. Jan. 9, 2019)
- Mota v. University of Texas Houston Health Science Center, 261 F.3d 512, 529 (5th Cir. 2001)
- Mercer v. Patterson-UTI Drilling Co., LLC, 2016 WL 10951286, at *2 (S.D. Tex. Oct. 20, 2016)
- Antero Resources Corp. v. C&R Downhole Drilling, 2022 WL 21697287, at *2 (N.D. Tex. Oct. 6, 2022)
- Association of Mexican-American Educators v. State of California, 231 F.3d 572, 593 (9th Cir. 2000)
- Williams v. Waste Management, Inc., 2019 WL 3240751, at *1–2 (N.D. Tex. May 31, 2019), adopted by 2019 WL 3239249 (N.D. Tex. July 19, 2019)
- Cruz v. Mattis, 2018 WL 2299044, at *3 (N.D. Tex. May 21, 2018)
- Thomas v. DeJoy, 2025 WL 1448729, at *1 (S.D. Tex. May 1, 2025), adopted by 2025 WL 1446029 (S.D. Tex. May 20, 2025)
- Douglass v. United Services Automobile Association, 79 F.3d 1415, 1417 (5th Cir. 1996)