

UNITED STATES DISTRICT COURT

for the District of New Hampshire

T-Peg, Inc and Timberpeg East, Inc.

BILL OF COSTS

V.

Case Number: C-03-462-M

Vermont Timber Works, Inc. and Douglas Friant

Judgment having been entered in the above entitled action on 8/18/2006 against Vermont Timber Works, the Clerk is requested to tax the following as costs:

Table with 2 columns: Description of costs and Amount. Includes items like Fees of the Clerk (\$255.00), Fees for witnesses (0.00), and a TOTAL of \$255.00.

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 was mailed today with postage prepaid to: W.E. Whittington, Esq.

Signature of Attorney: [s/] Jonathan M. Shirley

Name of Attorney: Jonathan M. Shirley (#16494)

For: T-Peg, Inc. and Timberpeg East, Inc. Date: 8/28/2006

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

Clerk of Court By: Deputy Clerk Date

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

|  |   |                |
|--|---|----------------|
| _____  | ) |                |
| T-Peg, Inc. and Timberpeg East, Inc.           | ) |                |
|  | ) |                |
| Plaintiff,                                     | ) |                |
|  | ) |                |
| v.   | ) | No. C-03-462-M |
|  | ) |                |
| Vermont Timber Works, Inc. and Douglas Friant, | ) |                |
|  | ) |                |
| Defendants.                                    | ) |                |
| _____  | ) |                |

**ITEMIZATION IN SUPPORT OF PLAINTIFFS' BILL OF COSTS**

| <b><u>Description</u></b>  | <b><u>Cost</u></b> |
|--|--------------------|
| 1. Docket Fee for Appeal to the United States Court of Appeals for the First Circuit | \$255.00           |

CLOSED

**U.S. District Court  
District of New Hampshire (Concord)  
CIVIL DOCKET FOR CASE #: 1:03-cv-00462-SM**

T-Peg, Inc., et al v. Isbitski, et al  
Assigned to: Chief Judge Steven J. McAuliffe  
Demand: \$0  
Cause: 17:101 Copyright Infringement

Date Filed: 10/23/2003  
Jury Demand: Both  
Nature of Suit: 820 Copyright  
Jurisdiction: Federal Question

**Plaintiff**

**T-Peg, Inc.**

represented by **Daniel E. Will**  
Devine Millimet & Branch PA  
(Manchester)  
111 Amherst St  
Manchester, NH 03101  
603 669-1000  
Email: [dwill@devinemillimet.com](mailto:dwill@devinemillimet.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Timberpeg East, Inc.**

represented by **Daniel E. Will**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Stanley J. Isbitski**

*TERMINATED: 06/01/2004*

**Defendant**

**Vermont Timber Works, Inc.**

represented by **W. E. Whittington, IV**  
Whittington Melendy & Girdwood  
PO Box 869  
Hanover, NH 03755  
603 643-2755  
Fax: 603-643-6490  
Email: [ned@whittington-law.com](mailto:ned@whittington-law.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Douglas S. Friant**

represented by **W. E. Whittington, IV**  
(See above for address)

**Counter Claimant**

**Vermont Timber Works, Inc.**  
 TERMINATED: 04/21/2004

V.

**Counter Defendant**

**T-Peg, Inc.**  
 TERMINATED: 04/21/2004

**Counter Defendant**

**Timberpeg East, Inc.**  
 TERMINATED: 04/21/2004

| Date Filed | #          | Docket Text   |
|------------|------------|---|
| 08/21/2006 | <u>115</u> | USCA JUDGMENT as to <u>110</u> Notice of Appeal, filed by T-Peg, Inc., Timberpeg East, Inc., the District Court 's entry of summary judgment against Timberpeg East, Inc. is reversed, the attorneys' fee award is vacated, and the matter is remanded to the district court for further proceedings consistent with the opinion issued this day. Costs are awarded to T-Peg, Inc. and Timberpeg East, Inc. (jab, ) (Entered: 08/21/2006) |
| 08/21/2006 | <u>114</u> | ORDER/OPINION of USCA as to <u>110</u> Notice of Appeal, filed by T-Peg, Inc., Timberpeg East, Inc., (jab, ) (Entered: 08/21/2006)  |
| 01/13/2006 | <u>113</u> | Clerk's Supplemental Certificate transmitted to US Court of Appeals re <u>110</u> Notice of Appeal, with unnumbered document, Notice - No Exhibit Designation Filed. (jab, ) (Entered: 01/13/2006)  |
| 01/13/2006 |            | Notice - No Exhibit Designation Filed. Pursuant to LR 83.13(d), the parties are required to file a designation of exhibits necessary for the determination of the appeal. This notice is to advise the court of appeals that as of this date no exhibit designations have been filed in this case. (jab, ) (Entered: 01/13/2006)  |
| 12/16/2005 |            | NOTICE of Docketing Record on Appeal re <u>110</u> Notice of Appeal, filed by T-Peg, Inc., Timberpeg East, Inc. Appellate Case Number: CCA 05-2866 (jab, ) (Entered: 12/19/2005)  |
| 12/09/2005 | <u>112</u> | Appeal Cover Sheet as to <u>110</u> Notice of Appeal, filed by T-Peg, Inc., Timberpeg East, Inc., (jab, ) (Entered: 12/09/2005)   |
| 12/09/2005 | <u>111</u> | Clerk's Certificate transmitting Record on Appeal to US Court of Appeals, documents numbered 1 - 110, re <u>110</u> Notice of Appeal,. A copy of the Notice of Appeal mailed to all parties this date. (jab, ) (Entered: 12/09/2005)  |
| 12/06/2005 |            | Appeal Fee received: \$ 255 (Credit Card), receipt number 028183 re <u>110</u>  |