

Appeal Nos. 13-17430, 14-15108

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

VIETNAM VETERANS OF AMERICA, et al.,

Plaintiffs-Appellants,

v.

CENTRAL INTELLIGENCE AGENCY, et al.,

Defendants-Appellees.

Appeal from the United States District Court
Northern District of California
The Honorable Claudia Wilken
District Court Case No. 4:09-cv-00037-CW

**PLAINTIFFS-APPELLANTS/CROSS-APPELLEES'
STATEMENT IN SUPPORT OF BILL OF COSTS**

JAMES P. BENNETT
EUGENE ILLOVSKY
STACEY M. SPRENKEL
BEN PATTERSON
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

*Attorneys for Plaintiffs-Appellants
Vietnam Veterans of America, et al.*

Plaintiffs-Appellants-Cross-Appellees' Vietnam Veterans of America, et al., hereby submits its Statement in Support of Bill of Costs in accord with this Court's award of same to Vietnam Veterans of America, et al. (Dkt. 47), pursuant to Federal Rules of Appellate Procedure 39, Ninth Circuit Rule 39-1, and 28 U.S.C. § 1920.

In addition to taxable copy costs associated with the documents itemized on the Form 10 Bill of Costs filed herewith, Plaintiffs-Appellants-Cross-Appellees request the award of "Other" copy costs for the Statutory Addendum in Support of Appellants' Opening Brief (Dkt. 15-2) filed concurrently with the Opening Brief and Excerpts of Record on February 3, 2014. Pursuant to Ninth Circuit Rule 28-2.7 and because of their volume, pertinent sections of the statute at issue — the Administrative Procedures Act — and other relevant statutes and regulations were filed in that separately bound Statutory Addendum.

Seven copies of the Statutory Addendum were delivered to the Clerk of Court on February 5, 2014 together with seven copies of the Opening Brief and four copies of the Excerpts of Record, pursuant to the Court's February 4, 2014 Order (Dkt. 16). Because the Statutory Addendum is a required component of the Opening Brief (often filed as part of the Opening Brief instead of as a separate addendum), Plaintiffs-Appellants-Cross-Appellees request the award of costs of this "Other" associated document. The Statutory Addendum to the Reply Brief was

filed as part of the same document as the Reply Brief (Dkt. 31) and not as a separate addendum.

Dated: July 14, 2015

JAMES P. BENNETT
EUGENE ILLOVSKY
STACEY M. SPRENKEL
BEN PATTERSON
MORRISON & FOERSTER LLP

By: /s/ Ben Patterson

BEN PATTERSON

Attorneys for Plaintiffs-Appellants

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2015, I electronically filed the foregoing BILL OF COSTS and STATEMENT IN SUPPORT OF BILL OF COSTS with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

All participants in the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

Dated: July 14, 2015

/s/ Ben Patterson
Ben Patterson