

GARY ALLEN BRAND,)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	No. 05-2511-KHV
)	
LOUISVILLE LADDER GROUP, L.L.C.,)	
)	
Defendant.)	
)	

¹ On May 19, 2007, plaintiff filed his original motion to retax costs. See Plaintiff's Motion To Retax Costs (Doc. #72). Except for a slightly more detailed explanation of counsel's "agreement," the motions are substantially the same.

(Doc. #74) filed March 26, 2007. Defense counsel states that plaintiff's counsel never responded to the e-mail or otherwise agreed to forego filing any post-judgment motions or appeal. See id., ¶ 4. Plaintiff has not filed a reply on the issue. Based on the record, the Court cannot find any agreement between the parties or counsel on the issue of costs. Accordingly, the Court overrules plaintiff's motions to retax costs.

IT IS THEREFORE ORDERED that Plaintiff's Motion To Retax Costs (Doc. #72) filed March 19, 2007 and Plaintiff's [Amended] Motion To Retax Costs (Doc. #73) filed March 23, 2007 be and hereby are **OVERRULED**.

Dated this 27th day of April, 2007 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge