



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

FILED
San Francisco County Superior Court

DEC 13 2021

CLERK OF THE COURT
BY: R. Michael Dil
Deputy Clerk

In re: THE ROBERT NAIFY LIVING TRUST,

Case No. PTR-16-299823

CHRISTINA CORTESE,
Petitioner,

ORDER GRANTING CO-TRUSTEES' MOTION FOR COSTS AWARD

vs.

JOHN SHERWOOD, et al.,
Respondents.

The Co-Trustees' motion for costs award is granted in the amount of \$99,239.89.

Overall. As the trustees point out, given the complexity, purported value and duration of this case, a costs award approaching \$100,000 is reasonable – that amount is some .04% of petitioner's requested recovery and 2% of the fees incurred by her counsel.

File & Serve and Chambers Costs. Our court requires File & Serve, so costs of it are recoverable. (CCP §1033.5(a)(14).) Likewise, the court requires delivery of courtesy copies to judges. (Local Rule 2.7(B).)

Deposition Travel Expenses. These are authorized by CCP §1033.5(a)(3) and may include airfare and lodging. (*Thon v. Thompson* (1994) 29 Cal.App.4th 1546, 1549.)

Trial Technician. Video display technology is essential in a modern trial – particularly one during a pandemic that saw the petitioner and witnesses appear remotely – and its cost is recoverable. (CCP §1033.5(c)(4); *Bender v. County of Los Angeles* (2013) 217 Cal.App.4th 968,


990-91; *El Dorado Meat Co. v. Yosemite Meat & Locker Service, Inc.* (2007) 150 Cal.App.4th 612, 620.) The trustees describe with specificity how these costs were reasonably incurred.

Trial Graphics. The court remembered the trial graphics and found them helpful. Their cost is recoverable under CCP §1033.5(a)(13).

Trial Exhibits. The hard copy exhibits were used extensively at trial and in preparing the statement of decision; their cost is recoverable. (CCP §1033.5(c)(4); *Benach v. County of Los Angeles* (2007) 149 Cal.App.4th 836, 855-57.)

Trial Transcript. The trial transcript was cited more than 600 times in the post-trial briefing; costs are recoverable under CCP §1033.5(c)(4).

Dated: December 13, 2021



Richard B. Ulmer Jr.
Judge of the Superior Court

Robert A. Naify Living Trust

Case No: PTR-16-299823

CERTIFICATE OF ELECTRONIC SERVICE
(CCP §1010.6 & CRC 2.251)

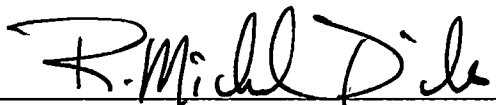
I, R. Michael Diles, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am over the age of 18 years, employed in the City and County of San Francisco, California and am not a party to the within action.

On December 13, 2021, I electronically served the attached **Order Granting Co-Trustees' Motion for Costs Award** via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Dated: December 13, 2021

T. Michael Yuen, Clerk

By: 
R. Michael Diles, Deputy Clerk