

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

BURTON W. WIAND, *etc.*  
Plaintiff,

v.

CASE NO. 8:20-cv-862-VMC-TGW

CHRIS AND SHELLEY ARDUINI,  
*et al.*,  
Defendant.

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**ORDER**

THIS CAUSE came on for consideration upon the Receiver's Omnibus Motion to Tax Costs Against Defaulted Defendants and the Receiver's Second Omnibus Motion to Tax Costs Against Defaulted Defendants (Docs. 649, 678). The receiver seeks reimbursement of service of process costs incurred for defaulted defendants who did not execute waivers for service of summons or provide good cause for failing to do so.

The receiver seeks to tax these costs pursuant to Rule 54(d)(1) and Rule 4(d)(2), F.R.Civ.P. Costs recoverable under Rule 54(d)(1), F.R.Civ.P. are listed in 28 U.S.C. 1920. "[P]rivate process server fees may be taxed pursuant to §§ 1920(1) and 1921." U.S. E.E.O.C. v. W&O, Inc., 213 F.3d 600, 624 (11th Cir. 2000). However, those fees must not exceed those collectable by the U.S. marshal. Id. Thus, reimbursement of costs associated with service of process under Rule 54(d)(1), F.R.Civ.P. and 28

U.S.C. 1920 incorporate a reasonableness component.

The receiver has filed affidavits and billing statements which list the service of process costs for each defaulted defendant (Docs. 649-1, 678-1). The majority of these costs are less than \$200 (see id.), which appear reasonable. On the other hand, there are service of process costs that are hundreds of dollars, to more than one thousand dollars, for one defendant (see id.). In order to determine the reasonableness of these costs, the movant shall provide an explanation for service of process costs in excess of \$173.85.

IT IS SO ORDERED.

DONE and ORDERED at Tampa, Florida, this 22<sup>nd</sup> day of January, 2021.



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THOMAS G. WILSON  
UNITED STATES MAGISTRATE JUDGE