



US Supreme Court Confirms Limitations on Rule 54(d) Costs

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In a recent decision, the US Supreme Court confirmed the “narrow scope of taxable costs.” In *Taninguchi v. Kan Pacific Saipan, Ltd*, 132 S.Ct. 1997 (2012), Justice Alito examined whether 28 U.S.C. § 1920(6), the Court Interpreters Act, which allows courts to award a prevailing party the costs of oral interpreters, also permits a court to award for the cost of document translation.

Taninguchi, a Japanese professional baseball player, suffered personal injuries on defendant’s property and sued. The District Court granted summary judgment to defendant. Relying on § 1920(6), Kan Pacific sought to recover the costs it expended in translating documents and medical records from Japanese. The District Court awarded these costs. Taninguchi appealed. The Ninth Circuit affirmed and the Supreme Court granted certiorari.

Because the Act did not define “interpreters,” the Court sought its plain meaning. The decision referenced many dictionaries and concluded that the plain meaning of interpreter was one who provided oral interpretation, not document translation.

In its holding, the Court ruled, “This Court has never held that Rule 54(d) creates a presumption in favor of the broadest possible reading of the costs enumerated in § 1920.” The Court concluded that there are narrow bounds to taxable costs, “which are limited by statute and modest in scope.” By limiting the meaning of interpreter to one who provides oral interpretation, the Court rejected an expansive approach to the award of costs.