

STATE OF MICHIGAN

COURT OF APPEALS

IN THE MATTER OF:

ALYSSA ANN KEAST and  
AMBER MARIE KEAST,

Court of Appeals No. 279820

Minors.

Lower Court No. 05-06388-NA

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Shon A. Cook (P51452)  
Susan M. Franklin (P66047)  
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Attorney for Appellees Tim and Barbara Atwood  
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**APPELLEES' OBJECTIONS TO APPELLANT'S BILL OF COSTS**

NOW COME Appellees Timothy and Barbara Atwood, by and through their attorney of record, Shon A. Cook of Williams, Hughes & Cook, PLLC, and hereby object to Appellant Nicole Coppess's Verified Bill of Costs for the following reasons:

1. On February 26, 2008, Appellees filed a timely Motion for Reconsideration, which is now pending before this Court. Appellant's Bill of Costs is therefore premature.
2. MCR 7.219 only allows a prevailing party to recover costs. Appellant is not a prevailing party, as her arguments were not addressed by the Court of Appeals in its decision on this matter. Exhibit A.
3. The Attorney General is not a party to the appeal in Docket No. 279820, as shown by the Court of Appeals Docket Number Inquiry attached as Exhibit B. Appellees should not be charged for copies of transcripts for the Attorney General.

4. Further verification of the \$887.65 charge for “transcript of hearing on motion for grandparenting time...” should be provided, as that cost is excessive.

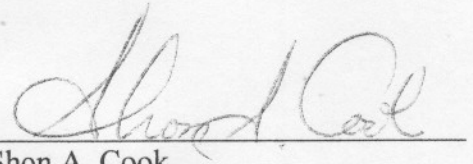
5. Appellant’s math is incorrect. Even if she were allowed all the taxable costs she claims in her Verified Bill of Costs, the total would be \$1,640.34, not \$1,640.85.

6. Appellees were forced to defend this appeal when Appellant chose to file this appeal. Costs and filing fees were done at her initiative, and should not be borne by a set of grandparents who merely sought to see their grandchildren.

7. Ordering costs in this matter would not be in the interests of justice. Appellees have pursued this matter in an effort to visit and be a part of their granddaughters’ lives.

Appellees have a very limited income.

Dated: February 27, 2008.



Shon A. Cook,  
Attorney for Appellees  
Timothy and Barbara Atwood