

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AVI DA JEWELER, INC. a/k/a
AVI THE JEWELER, AVI DA JEWELER
as assignee of ICE TEK WATCH CO., LLC
d/b/a ICE TEK and AVI DA JEWELER
as assignee of RAFFE JEWELRY, INC.,

JUDGMENT

Plaintiff,

Docket No. 14 CV 7012 [DLC]

-against-

KISEAN ANDERSON a/k/a
SEAN KINGSTON, JANICE TURNER,
SEAN KINGSTON ENTERPRISE, INC.
and EYES ABOVE WATER, LLC,

Defendants.

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THIS MATTER having come before the Court upon motion by Plaintiff, Avi da Jeweler, Inc. for entry of a default judgment on its claims against Kisean Anderson a/k/a Sean Kingston, Janice Turner, Sean Kingston Enterprise, Inc. and Eyes Above Water, LLC pursuant to Fed. R. Civ. P. 55 (b) (2); and the Plaintiff having obtained personal jurisdiction over the Defendants herein, and proof of service having been filed with the Court, and Defendants having not answered the Complaint, and the Court having considered the moving papers and there being no opposition thereto,

IT IS HEREBY ORDERED that the Plaintiff's Motion for Entry of a Judgment be GRANTED, and it is hereby

ORDERED, ADJUDGED AND DECREED, that the Plaintiff, Avi Da Jeweler, Inc., a domestic New York Corporation, with its principal place of business at 300 East Fordham Road, Bronx, New York 10458, on all Claims of the Verified Complaint ^{joint and severally} as against Kisean Anderson

a/k/a Sean Kingston and Eyes Above Water, LLC in the amount of Two Hundred and Twenty Six Thousand Two Hundred (\$226,200.00) Dollars; Sean Kingston Enterprise, Inc. in the amount of Two Hundred and Forty Thousand (\$240,000.00) Dollars and Janice Turner in the amount of One Hundred and Sixty Thousand Dollars with interest at nine (9%) per centum per annum from:

a) November 19, 2008 on Fifteen Thousand (\$15,000.00) Dollars in the amount of \$8,499.45;

b) April 2, 2009 on One Hundred and Fifty Thousand (\$150,000.00) Dollars in the amount of

\$8,038.36; c) November 19, 2012 on Five Thousand (\$5,000.00) Dollars in the amount of

\$1,631.92; d) December 31, 2012 on Forty Three Thousand (\$43,000.00) Dollars in the

amount of \$3,429.18; e) July 24, 2014 on One Thousand Two Hundred (\$1,200.00) Dollars

in the amount of \$66.58; and, f) September 19, 2013 on Twelve Thousand (\$12,000.00)

Dollars in the amount of \$1,577.10 for a total amount of interest amounting to

plus \$510.00 plus costs and disbursements of this action in the amount of \$25,842.59
plus attorneys fees in the amount of (25% Judgement) \$17,910.63
Dated: New York, N.Y. \$30,000 for a total award of \$356,352.50.

HON. DENISE COTE
UNITED STATES DISTRICT JUDGE

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON

UNITED STATES DISTRICT COURT

Southern District of New York

AVI DA JEWELER, INC., et al.

BILL OF COSTS

V.

KISEAN ANDERSON a/k/a SEAN KINGSTON e

Case Number: 14 cv 7012 COTE, J.

Judgment having been entered in the above entitled action on _____ against _____, the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	_____
Fees and disbursements for printing	_____
Fees for witnesses (itemize on page two)	0.00
Fees for exemplification and copies of papers necessarily obtained for use in the case	_____
Docket fees under 28 U.S.C. 1923	20.00
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (please itemize)	_____
TOTAL	\$ 20.00

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- ☐ Electronic service by e-mail as set forth below and/or.
- ☐ Conventional service by first class mail, postage prepaid as set forth below.

/s/ Attorney: _____

Name of Attorney: _____

For: _____ Date: _____
Name of Claiming Party

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

UNITED STATES DISTRICT COURT

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					TOTAL		\$0.00

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."