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Attorney for Contestant

Attachment 2
1/23/17

IN THE SENATE OF THE STATE OF IDAHO

IN THE MATTER OF:)
)
THE CONTEST OF THE)
ELECTION OF)
)
W. MARCUS W. NYE)
(a/k/a: "MARK" NYE))
)
TO THE OFFICE OF)
STATE SENATOR)
IN AND FOR LEGISLATIVE)
DISTRICT NO. TWENTY-NINE)
_____)

CONTESTANT'S MEMO OF COSTS

Pursuant to the request of the Chair of the Senate State Affairs Committee, at the hearing on January 16, 2017, CONTESTANT, TOM KATSILOMETES, by and through his attorney, J. Kahle Becker hereby submits his memorandum of costs as follows:

Idaho Code § 34-2120 Security for costs – Assessment of Costs specifically allows the prevailing party in an election contest to recover its costs, up to \$500, out of the bond posted with the Secretary of State by the Contestant. Contestant Katsilometes did not prevail before the Senate State Affairs Committee. Therefore, at this time, it is not permissible to seek to recover Contestant's costs. Contestant's costs are listed in paragraph 64 of *Contestant's Memorandum and Proposed Findings of Fact and Conclusions of Law for Contest of Election*.


J. Kahle Becker
Attorney for CONTESTANT KATSILOMETES

CERTIFICATE OF SERVICE

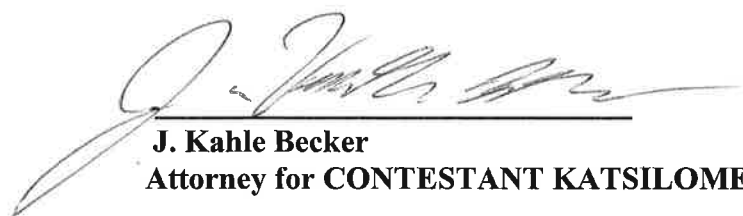
I HEREBY CERTIFY that on this 18th day of January, 2017, I served a true and correct copy of the above and foregoing document to the following person(s) as follows:

James D. Ruchti
Ruchti & Beck Law Offices
1950 E. Clark Street, Suite 200
Pocatello, ID 83201

[] Email: james@idaholaw.us

Senate State Affairs

[] Email: jsiddoway@senate.idaho.gov



J. Kahle Becker
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