

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RNS SERVICING, LLC, and Illinois Limited
Liability Company,

Plaintiff,

v.

SPIRIT CONSTRUCTION SERVICES, INC.,
a Delaware Corporation, STEVEN VAN DEN
HEUVEL, a citizen of the State of Wisconsin,
and SHARAD TAK, a Citizen of the State of
Florida,

Defendants.

Case No. 17-cv-108

Judge Edmond E. Chang

**PLAINTIFF RNS SERVICING’S UNOPPOSED MOTION
FOR LEAVE TO FILE JOINT RESPONSE TO BOTH
DEFENDANT TAK’S BILL OF COSTS AND DEFENDANTS
SPIRIT CONSTRUCTION/STEVE VDH’S BILL OF COSTS *INSTANTER*
AND
UNOPPOSED MOTION TO SET BRIEFING SCHEDULE FOR DEFENDANTS SPIRIT
CONSTRUCTION AND STEVE VDH’S BILL OF COSTS**

Plaintiff, RNS Servicing, LLC (“RNS Servicing”), by and through its undersigned attorneys, hereby moves this Honorable Court for leave to file for leave to file joint Response to both Defendant Sharad Tak (“Tak”)’s Bill of Costs [Dkt. No. 94]. and Defendants Spirit Construction Services, Inc. (“Spirit”) and Steven Van Den Heuvel (“Steve VDH”) (collectively, “Spirit/SVDH”)’s Bill of Costs [Dkt. No. 98], *instante* and to set a briefing schedule for Spirit/SVDH Bill of Costs. In support, RNS Servicing states as follows:

1. On April 8, 2020, Tak filed a Bill of Costs. [Dkt. No. 94].
2. On April 9, 2020, this Court entered the following briefing schedule for Tak’s Bill of Costs: “Plaintiff’s response (if any) is due by 05/04/2020. Defendant’s reply is due by

05/18/2020. To track the case only (no appearance is required), a status hearing is set for 06/05/2020 at 8:30 a.m.” [Dkt. No. 95].

3. On April 23, 2020, Spirit/Steve VDH filed a Bill of Costs. [Dkt. No. 98].

4. No briefing schedule on Spirit/Steve VDH’s Bill of Costs had been entered.

5. On May 5, 2020 at 12:18 AM, Plaintiff filed a Joint Response to both Tak’s Bill of Costs and Spirit/Steve VDH’s Bill of Costs. [Dkt. No. 104].

6. Since, with respect to Tak’s Bill of Costs, Plaintiff’s Response was 18 minutes late according to this Court’s April 9, 2020 briefing schedule, Plaintiff seeks leave to file its Joint Response to both Tak’s Bill of Costs and Spirit/Steve VDH’s Bill of Costs [Dkt. No. 104], *instantly*.

7. Plaintiff has communicated counsel with both Tak and Spirit/SVDH, and neither counsel opposes this motion.

8. Further, counsel for Tak expressed agreement that there is no need to extend Tak’s existing May 18, 2020 due date for Tak’s Reply in support his Bill of Costs or the existing June 5, 2020 status date (to track the case only). In addition, if this Court’s approves, all counsel (including counsel for Spirit/SVDH) agree to set May 18, 2020 as the due date for Spirit/SVDH’s Reply in support his Bill of Costs and to keep the existing June 5, 2020 status date for Spirit/SVDH’s Bill of Costs as well (to track the case only).

9. On May 5, 2020, counsel for both Tak and Spirit/SVDH stated that they would not object to either Plaintiff’s motion for leave to file its Joint Response to Defendants’ Bills of Costs, *instantly*, or Plaintiff’s motion to set a briefing a schedule for the remaining briefing on Spirit/SVDH’s Bill of Costs along the same timeline as Tak’s Bill of Costs. *See* Exhibit A.

WHEREFORE, for the foregoing reasons, Plaintiff requests that this Court grant (1) its motion for leave to file its Joint Response to both Tak’s Bill of Costs and Spirit/Steve VDH’s Bill

of Costs [Dkt. No. 104], *instantly*, and (2) to grant its motion to set May 18, 2020 as the due date for Spirit/SVDH's Reply in support his Bill of Costs and to keep the existing June 5, 2020 status date for both Tak's and Spirit/SVDH's Bill of Costs (to the extent the Court wishes to keep that date to track the case only).

Dated: May 5, 2020

Brian C. Langs
Johnson & Bell, Ltd.
33 West Monroe Street, Suite 2700
Chicago, Illinois 60603
Phone: (312) 372-0770
Fax: (312) 372-9818
E-mail: langsb@jbld.com

Respectfully submitted,

JOHNSON & BELL, LTD.,

By: /s/ Brian C. Langs

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ Brian C. Langs

Brian C. Langs

From: Spahn, Brian <BSpahn@gklaw.com>
Sent: Tuesday, May 5, 2020 8:55 AM
To: Romashko, Robert; Brian C. Langs
Cc: Donna J. Zimmerman
Subject: RE: RNS v Spirit/Tak - Bill of Costs

Brian – that’s fine. We can stick to the 5/18 reply deadline.

Brian Spahn | Attorney
414.287.9314 direct | BSpahn@gklaw.com

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From: Romashko, Robert <Robert.Romashko@huschblackwell.com>
Sent: Tuesday, May 5, 2020 8:49 AM
To: Brian C. Langs <langsb@jbltd.com>; Spahn, Brian <BSpahn@gklaw.com>
Cc: Donna J. Zimmerman <zimmermand@jbltd.com>
Subject: RE: RNS v Spirit/Tak - Bill of Costs

[EXTERNAL] This message originated from outside your domain.

Brian, hope you’re doing well with everything going on in the world. No objection. We can file a reply our reply by 5/18 too, if you want to note that we’ve agreed to that briefing schedule. That should at least help avoid this lingering.

Robert M. Romashko
Senior Counsel
Direct: 312.662.4665
Robert.Romashko@huschblackwell.com

From: Brian C. Langs <langsb@jbltd.com>
Sent: Tuesday, May 5, 2020 12:38 AM
To: Spahn, Brian <BSpahn@gklaw.com>; Romashko, Robert <Robert.Romashko@huschblackwell.com>
Cc: Donna J. Zimmerman <zimmermand@jbltd.com>
Subject: RNS v Spirit/Tak - Bill of Costs

[EXTERNAL EMAIL]

Brian/Bob,

Tak filed a Bill of Costs on 4/8/2020.

Spirit/Steve VDH filed a Bill of Costs on 4/23/2020.

RNS response to Tak's Bill of Costs was due by 05/04/2020. Do not think the Court entered an order for a due date for a Response to Spirit/Steve VDH's Bill of Costs.

I was confused because my client got new counsel to file an appeal which now looks like it was voluntarily dismissed. Neither me or J&B will have anything to do with an appeal if one is ever refiled. Anyways, I was asked to file a response to Tak's Bill of Costs and I just filed a response to both Tak's Bill of Costs at 12:18 AM (about 18 minutes late for Tak's) and Spirit/Steve's Bill of Costs (which I think is on time).

Tak's Reply (if any) is due on 5/18/20. No due date for Spirit/SVDH. Current status date of 06/05/2020 for Bill of Costs ruling (or possibly to kick the ruling date).

I plan on filing a motion for leave to file Joint response to both Bill of Costs tomorrow. **Any objection?**

I am fine if Tak would like more time to file a reply (if you are filing one) and with suggesting a date for Spirit/SVDH's Reply (if you are filing one). Just let me know how much time you want and I can suggest that the Court move the 06/05/2020 status date that many dates in the future (if there is no objection by Tak). If there is an objection by Tak, please let me know.

Best regards,

Brian

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United States District Court

Northern District of Illinois - CM/ECF LIVE, Ver 6.3.2

Notice of Electronic Filing

The following transaction was entered on 4/9/2020 at 11:08 AM CDT and filed on 4/9/2020

Case Name: RNS Servicing, LLC v. Spirit Construction Services, Inc. et al

Case Number: [1:17-cv-00108](#)

Filer:

WARNING: CASE CLOSED on 03/25/2020

Document Number: [95](#)

Docket Text:

MINUTE entry before the Honorable Edmond E. Chang: On Defendant Tak's bill of costs [94],

Plaintiff's response (if any) is due by 05/04/2020. Defendant's reply is due by 05/18/2020. To track the case only (no appearance is required), a status hearing is set for 06/05/2020 at 8:30 a.m. Emailed notice (mw,)

1:17-cv-00108 Notice has been electronically mailed to:

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1:17-cv-00108 Notice has been delivered by other means to:

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