

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

JAMES HARDY, JR.; HARDY RESOURCES
LLC; JOHN HARDY; EVERGREEN PROCESSING, LLC,
formerly B&H RESOURCES, LLC; MARY HARDY;
HARDY ENERGY SERVICES, INC.; ELITE
COIL TUBING SOLUTIONS LLC; and
NORTHSTAR FARMS LLC

PLAINTIFFS

v.

No. 1:09-cv-41-DPM

HELEN BARTMESS, Executrix of the
Estate of George Bartmess

DEFENDANT

ORDER

The Court has reviewed the parties' submissions on Bartmess's attorney's fees and expenses related to the *lis pendens* issue. The Court appreciates the papers' brevity.

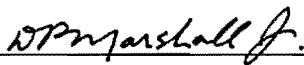
The expert fees for Honea and Rush, which total \$575.00, are uncontested. They are reasonable and allowed.

The \$17,842.50 requested in attorney's fees is too much. Informed by having adjudicated the *lis pendens* dispute and by the billing records, and guided by all the *Chrisco* factors, the Court concludes that a reasonable fee is

\$5,000.00. *Chrisco v. Sun Industries, Inc.*, 304 Ark. 227, 229-30, 800 S.W.2d 717, 718-19 (1990). This represents twenty hours of work at \$250.00 an hour. This was a straightforward issue, one that could have been handled alone by either of Bartmess's experienced counsel. Bartmess's fee arrangement is only one factor among many in the equation. *Ibid.*

The Court awards \$5,575.00 in attorney's fees and expenses to Bartmess for the Hardys' minor breach of the parties' settlement. ARK. CODE ANN. § 16-22-308. The Hardys must file confirmation of payment by 20 March 2012. Motion for fees, *Document No. 271*, granted in part and denied in part.

So Ordered.



D.P. Marshall Jr.
United States District Judge

5 March 2012