

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**XPEDX, a division of International  
Paper Company d/b/a Saalfeld  
Redistribution Company**

**PLAINTIFF**

**v.**

**No. 4:11-cv-763-DPM**

**PAUL WALLIS, individually**

**DEFENDANT**

**ORDER**

A few weeks ago, the Court granted Xpedx's uncontested motion for summary judgment. *Document No. 34*. Wallis, as personal guarantor for Jonesboro Paper, is liable for the \$168,298.49 debt. The Court encouraged the parties to confer and agree on the prejudgment interest rate, a *per diem* amount, and the interest start date. The Court also requested the parties to seek agreement on costs and attorney fees. The parties have made good progress.

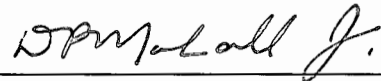
The agreed upon amounts are:

- Prejudgment interest rate of 6% per annum.
- *Per diem* of \$27.67.
- Start date of 25 August 2010.

- Costs of \$476.02.
- Attorney fees of \$25,244.77.

The Court accepts and endorses these amounts. The Court appreciates Xpedx filing its legal bills under seal. Xpedx is entitled to the agreed 15% attorney fee for having to pursue Wallis on the guaranty, though this exceeds the fee incurred. *Document No. 1, at 11*; Ark. Code Ann. § 16-22-308. The amount is reasonable in the circumstances. *Chrisco v. Sun Industries, Inc.*, 304 Ark. 227 (Ark. 1990). The Court will enter judgment for Xpedx accordingly.

So Ordered.



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D.P. Marshall Jr.  
United States District Judge

5 September 2012