

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

WELLS FARGO BANK, N.A.
as Trustee For Morgan Stanley Capital I Trust
2016-UBS 12, Commercial Mortgage Pass-Through
Certificates, Series 2016-UBS 12

PLAINTIFF

v.

CASE NO. 4:22-CV-00180-BSM

PF ALLIED GARDENS LLC, et al.

DEFENDANTS

ORDER

Wells Fargo Bank, N.A.’s motion for attorneys’ fees [Doc. No. 80] is granted as modified. Wells Fargo is awarded \$422,865 in attorneys’ fees and \$4,792.17 in costs.

Under the terms of the loan documents, defendants agreed to pay costs, expenses, and reasonable attorneys’ fees incurred in enforcing the documents, and defendants did not oppose the motion for fees. The time billed by Wells Fargo’s lawyers is reasonable considering the time and labor required, the amount involved, and the results obtained. *See G & K Servs. Co. v. Bill’s Super Foods, Inc.*, 766 F.3d 797, 801 (8th Cir. 2014) (citing *Chrisco v. Sun Indus., Inc.*, 304 Ark. 227, 229, 800 S.W.2d 717, 718–19 (1990)). But the hourly rates charged by the Dykema Gossett lawyers are high compared to the fees customarily charged in Arkansas for similar work. I find that reasonable hourly rates for the Dykema Gossett lawyers are as follows: \$375 for Edward S. Weil, \$350 for Robert B. Groholski, and \$325 for Paulina Garga-Chmiel. *See Bryant v. Jeffrey Sand Co.*, 919 F.3d 520, 529 (8th Cir. 2019) (“When determining reasonable hourly rates, district courts may rely on their own experience and knowledge of prevailing market rates.”).

Wells Fargo is therefore awarded \$388,397.50 for work performed by Dykema Gossett lawyers; \$1,151.38 for costs incurred by Dykema Gossett; \$34,467.50 for work performed by Wright, Lindsey & Jennings lawyers; and \$3,640.79 for costs incurred by Wright, Lindsey & Jennings; for a total of \$422,865 in attorneys' fees and \$4,792.17 in costs.

IT IS SO ORDERED this 6th day of June, 2024.


UNITED STATES DISTRICT JUDGE