

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

HANJIN SHIPPING COMPANY, LTD

PLAINTIFF

v.

Case No. 2:09-CV-02152

SUSTAINABLE SOLUTIONS, INC., and
STRATELINE INDUSTRIES, LLC

DEFENDANTS

DEFAULT JUDGMENT ON DAMAGES

The Court Clerk has entered defaults against separate Defendant Sustainable Solutions, Inc. ("SSI") and separate Defendant Strateline Industries, LLC ("Strateline") (Doc. 18) in favor of Plaintiff Hanjin Shipping Company, LTD ("Hanjin") (Doc. 15). The Court has also granted Motions for Default Judgment against SSI and Strateline on behalf of Hanjin (Doc. 24) on the issue of liability. Counsel for Hanjin has filed, at the request of the Court, a Motion in Support of Damages (Doc. 32) with attached exhibits and affidavits.

Upon consideration of Hanjin's Motion in Support of Damages and accompanying exhibits and affidavits, in the context of the record as a whole, **IT IS HEREBY ORDERED AND ADJUDGED** that Plaintiff Hanjin shall have and recover jointly and severally from separate defendants SSI and Strateline, **judgment in the amount of \$934,515.00**. This amount includes \$27,815.00 in outstanding freight as attested to in an affidavit signed by the Hanjin employee responsible for tracking the outstanding freight owed to Hanjin in this case (Doc. 32-2). The remainder of the judgment amount

represents accrued storage fees, or demurrage, totaling \$906,700.00 as indicated in the summary of demurrage charges/fees (Doc. 32-4) and attested to in an affidavit signed by the Hanjin employee responsible for tracking the demurrage owed Hanjin in this case (Doc. 32-2). While Hanjin's filings provided no clear indication of a contractual rate for demurrage nor a clear explanation as to how Hanjin arrived at a daily rate per container of \$100, the Court finds such rate to be a reasonable rate for demurrage charges, accruing from the date the containers were made available to the merchant until the release date on October 11, 2010. The judgment amount shall bear interest at the prevailing legal rate of 0.24% per annum from the date of entry of this order until paid. See 28 U.S.C. § 1961.

IT IS SO ORDERED this 19th day of April 2011.

/s/ Paul K. Holmes, III
Paul K. Holmes, III
United States District Judge