

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

**CASCADE INTEGRATED SERVICES LLC,  
a Nevada Limited Liability Company**

**PLAINTIFF**

**v.**

**Case No. 2:14-CV-02050**

**ULTIMATE ENERGY SERVICES, LLC,  
an Arkansas Limited Liability Company**

**DEFENDANT**

**JUDGMENT AND ORDER ON DAMAGES**

On November 21, 2014, the Court entered an Order (Doc. 22) granting Plaintiff Cascade Integrated Services LLC's Motion for Default Judgment. The Court held a hearing on damages on January 22, 2015, during which Plaintiff's corporate representative testified, and a number of exhibits were received into evidence. At the Court's direction, Plaintiff's counsel then filed a Bill of Costs (Doc. 26) on January 23, 2015, including proof of Plaintiff's payment of filing fees and expenses associated with service of process in this matter. After careful consideration of all the evidence before the Court, the following findings are well justified:

1. On October 19, 2014, Defendant's Amended Complaint (Doc. 13) was properly served upon Mr. Heath Borum, the registered agent for Defendant. See Doc. 18-2. Defendant failed to appear in the matter, and an answer or other responsive pleading was never filed. On November 19, 2014, the Clerk of Court entered a default. See Doc. 21.
2. There is sufficient uncontroverted evidence in the record to establish to a reasonable degree of certainty that from April 12, 2013, through November


- 1, 2013, certain transportation services were provided by Plaintiff to Defendant Ultimate Energy Services, LLC, in the amount of \$81,350.40, and Defendant failed to pay for these services. Accordingly, the bill is currently due and owing.
3. The total costs incurred by Plaintiff in filing this action and serving process on Defendant amount to \$725.00. See Doc. 26.
  4. Having reviewed Plaintiff's attorneys' itemized billing statements *in camera*, the Court finds that a total attorney fee award in the amount of \$12,000.00 is appropriate, considering the factors set forth in *Chrisco v. Sun Industries, Inc.*, 304 Ark. 227, 229-30 (Ark. 1990), to include the amount of time counsel invested in the lawsuit; the appropriateness of counsel's rates, given the experience and ability of the attorneys; the time and labor required to perform the legal services properly; the amount potentially at issue in the case; the results obtained; the novelty and difficulty of the issues involved; and the prevailing rate customarily charged in this area for similar legal services.

Accordingly, **IT IS HEREBY ORDERED** that Defendant Ultimate Energy Services, LLC pay to Plaintiff Cascade Integrated Services, LLC \$81,350.40 in liquidated damages, \$12,000.00 in attorney fees, and \$725.00 in costs.

**JUDGMENT** is hereby entered in favor of Plaintiff Cascade Integrated Services, LLC, and this case is **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that Plaintiff's counsel mail a copy of this Judgment and Order on Damages to Defendant's registered agent, Mr. Borum, at his last known address within 14 days.

**IT IS SO ORDERED** this 30th day of January, 2015.



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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE