

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 07-cv-00249-REB-KLM

TAX SERVICES OF AMERICA, INC.,

Plaintiff,

v.

LINDA MITCHELL,  
HAMIDOU DIARRA, and  
KERRY DYLES,

Defendants.

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**ORDER FOR JUDGMENT**

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**Blackburn, J.**

This matter is before me *sua sponte*. I previously granted plaintiff's motion for summary judgment against defendants Mitchell and Diarra (**see Order Granting Plaintiff's Motion for Summary Judgment** [#164], filed July 21, 2008), and determined the appropriate amount of damages to which plaintiff is entitled as a result of these defendants' breaches of the various contracts to which they were parties (**see Order Granting Plaintiff's Motions for Entry of Judgment** [#181], filed February 24, 2009). I also granted plaintiff's motion for default judgment against defendant Dyles for dilatory conduct in discovery (**see Order Adopting Recommendation of United States Magistrate Judge** [#162], filed July 14, 2008), and subsequently approved and adopted the magistrate judge's recommendation that Dyles be held jointly and severally liable for damages and attorney's fees in this matter (**see Order Adopting in Part Recommendation of United States Magistrate Judge** [#180], filed February 24,

2009). These orders resolve all claims and issues currently pending in this case.

Therefore, it is now appropriate to direct the entry of final judgment.

**THEREFORE, IT IS ORDERED** as follows:

1. That judgment **SHALL ENTER** on behalf of plaintiff, Tax Services of America, Inc., and against defendants, Linda Mitchell, Hamidou Diarra, and Kerry Dyles, jointly and severally, pursuant to my **Order Granting Plaintiff's Motion for Summary Judgment** at 10-12, ¶¶ 2 - 11 [#164] entered July 21, 2008;

2. That plaintiff, Tax Services of America, Inc., is **AWARDED** lost profits and lost investment value damages in the principal amount of \$239,292.00 against defendants Linda Mitchell, Hamidou Diarra, and Kerry Dyles, jointly and severally, pursuant to my **Order Granting Plaintiff's Motion for Summary Judgment** [#164] entered July 21, 2008, **Order Granting Plaintiff's Motions for Entry of Judgment** [#181] entered February 24, 2009, and **Order Adopting in Part Recommendation of United States Magistrate Judge** [#180] entered February 24, 2009;

3. That plaintiff, Tax Services of America, Inc., is **AWARDED** attorney fees in the amount of \$348,962.50 against defendants, Linda Mitchell and Kerry Dyles, jointly and severally, pursuant to my **Order Granting Plaintiff's Motion for Summary Judgment** [#164] entered July 21, 2008, and **Order Adopting in Part Recommendation of United States Magistrate Judge** [#180] entered February 24, 2009;


4. That plaintiff, Tax Services of America, Inc., is **AWARDED** \$31,546.96 in expert witness fees and \$9,758.08 in other costs and expenses against defendant,

Linda Mitchell, pursuant to my **Order Granting Plaintiff's Motion for Summary Judgment** [#164] entered July 21, 2008; and

5. That pursuant to 28 U.S.C. § 1961, plaintiff is **AWARDED** post-judgment interest from the date of this order until the judgment is fully paid.

Dated February 24, 2009, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge