

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

Civil Case No. 09-cv-01426-REB-CBS

PAMA VENTURES, LLC, a Washington limited liability company,

Plaintiff,

v.

BRIAN WELLENS,

Defendant.

**ORDER APPROVING STIPULATION &
FOR ENTRY OF JUDGMENT**

Blackburn, J.

The matters before me are: 1) **Plaintiff's Motion for Costs, Attorneys' Fees, and Interest Due Pursuant To D.C.COLO.LCivR 54.3 and Court's Order of June 24, 2010** [#84]¹ filed July 8, 2010; and 2) the **Joint Stipulation by the Parties as to the Appropriate Attorneys Fee and Cost Award** [#85] filed July 14, 2010. I approve the stipulation, deny the motion for costs and fees as moot, and direct the entry of judgment.

On June 24, 2010, I issued my **Order Granting Plaintiff's Motion for Summary Judgment** [#81]. I delayed the entry of judgment to provide the plaintiff, PAMA Ventures, LLC, a reasonable opportunity to file a motion seeking and circumstantiating its costs of collection and reasonable attorney fees. The parties since have stipulated

¹ “[#53]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

that a reasonable attorney fees award in this case is 100,000 dollars and that a reasonable cost award is 4,445.52 dollars. *Joint Stipulation by the Parties as to the Appropriate Attorneys Fee and Cost Award* [#85], filed July 14, 2010. The parties' stipulation resolves the remaining issues in this case. Based on my **Order Granting Plaintiff's Motion for Summary Judgment** [#81] filed June 24, 2010, and on the **Joint Stipulation by the Parties as to the Appropriate Attorneys Fee and Cost Award** [#85] filed July 14, 2010, I order the entry of judgment in this case.

THEREFORE, IT IS ORDERED as follows:

1. That the **Joint Stipulation by the Parties as to the Appropriate Attorneys Fee and Cost Award** [#85] filed July 14, 2010, is **APPROVED**;

2. That **JUDGMENT SHALL ENTER** in favor of the plaintiff, PAMA Ventures, LLC, and against the defendant, Brian Wellens;

3. That the plaintiff is **AWARDED** damages in the following amounts:

A. 965,000.00 dollars, representing the principal due under the promissory note at issue in this litigation; plus

B. 385,867.80 dollars, representing the amount of interest due as of July 16, 2010; plus

C. 100,000.00 dollars, representing reasonable attorney fees incurred by PAMA Ventures, LLC; plus

D. 4,445.52 dollars, representing reasonable costs incurred by PAMA Ventures, LLC;

4. That the plaintiff is **AWARDED** interest on all amounts unpaid at the rate of

two percent (2%) per month from July 17, 2010;

5. That this court **RETAINS** jurisdiction to enforce the terms of the parties' stipulation, including jurisdiction to adjust the judgment, if appropriate, on motion of the plaintiff, PAMA Ventures, LLC, to account for accrued interest and any additional costs of collection, such as attorney fees necessary to execute on the judgment;


6. That in order to file a motion seeking to adjust the judgment in this case, plaintiff, PAMA Ventures, LLC, first **MUST FILE** a motion to re-open this case, demonstrating good cause to re-open, along with any motion to adjust the judgment;

7. That the **Plaintiff's Motion for Costs, Attorneys' Fees, and Interest Due Pursuant To D.C.COLO.LCivR 54.3 and Court's Order of June 24, 2010** [#84] filed July 8, 2010, is **DENIED** as moot; and

8. That this case is **CLOSED**.

Dated July 23, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge