

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

REGIONS BANK

CIVIL ACTION

VERSUS

NO. 15-5084

GATOR EQUIPMENT RENTALS,
LLC, ET AL.

SECTION "R" (5)

ORDER AND REASONS

Before the Court is Plaintiff Regions Bank's unopposed motion to establish attorneys' fees¹ owed in compliance with the Judgment entered by the Court on September 7, 2016.² For the following reasons, the Court GRANTS plaintiff's motion.

I. DISCUSSION

This case arises out of several commercial loans that Regions extended to Gator Equipment, LLC, which were secured by itself as well as several corporate and individual defendants.³ The loans were contemplated in a Business Loan Agreement signed by the parties, and the Agreement specified that the borrower "agrees to pay upon demand all of Lender's costs and

¹ R. Doc. 55.

² R. Doc. 53. The Court amended this Judgment on October 3, 2016. R. Doc. 58.

³ R. Doc. 1 at 4.

expenses, including Lender's attorneys' fees and Lender's legal expenses, incurred in connection with the enforcement of this Agreement."⁴ Regions and defendants ultimately executed three promissory notes and various security agreements, guaranties, mortgages, and assignments subject to the Business Loan Agreement.⁵

On October 10, 2015, Regions filed a lawsuit alleging that defendants were in default and unable to satisfy their debts since August 2015. On February 8, 2016, Regions filed a motion for summary judgment, seeking both collection of unpaid sums as well as a judgment recognizing the validity and enforceability of the various notes, security agreements, guaranties, and mortgages that arose from the Business Loan Agreement.⁶

On September 7, 2016, the Court granted Regions' motion for summary judgment and entered judgment in its favor. In the amended judgment, the Court ordered that the defendants owed Regions all costs, fees, attorneys' fees, expenses, and charges incurred by Regions in association with its lawsuit as well as all costs, fees, attorneys' fees, expenses and charges incurred by Regions in connection with the collection of the judgment.⁷ The

⁴ R. Doc. 1-1 at 4.

⁵ R. Doc. 1 at 6-14.

⁶ R. Doc. 30.

⁷ R. Doc. 58 at 2.

amended judgment also ordered Regions to file a motion within fourteen days of entry of the amended judgment establishing those costs, fees, attorneys' fees, expenses and charges incurred by Regions.⁸ Regions filed this motion in compliance with the Court's judgment.

Regions engaged the firm of McGlinchey Stafford, PLLC to represent it in this litigation. In support of its motion establishing attorneys' fees, Regions attaches McGlinchey Stafford's invoices related to this lawsuit.⁹ The invoices make clear that as of September 19, 2016, Regions has incurred attorneys' fees and costs of \$102,764.76,¹⁰ which have been discounted to \$68,982.73 pursuant to the terms of Regions' engagement with McGlinchey Stafford. Defendants have not responded to this motion and thus have not made any argument that the fees incurred are unreasonable, nor does the Court find them unreasonable. Therefore, in accordance with the Court's amended judgment, the Court awards \$68,982.73.

⁸ *Id.*

⁹ R. Doc. 55-2 (Exhibit A).

¹⁰ R. Doc. 55-3 at 62 (Exhibit A continued).

II. CONCLUSION

For the foregoing reasons, the Court GRANTS Regions motion and awards it \$68,982.73 in attorneys' fees. This Order reserves Regions' rights to seek additional amounts to compensate it for the attorneys' fees, costs and expenses that it incurs in connection with this motion as well as any additional attorneys' fees, costs and expenses that it incurs in connection with the collection of the Judgment.

New Orleans, Louisiana, this 29th day of November, 2016.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE