

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

IFG PORT HOLDINGS, LLC : **CIVIL ACTION NO. 16-cv-146**

VERSUS :

**LAKE CHARLES HARBOR &
TERMINAL DISTRICT** : **MAGISTRATE JUDGE KAY
(By Consent)**

MEMORANDUM RULING AND ORDER

Before the court is a Motion for Attorney Fees filed by plaintiff IFG Port Holdings, LLC. Doc. 630. IFG seeks to update the quantum of attorney's fees and costs IFG has expended in this litigation from July 31, 2020, up to and including the date of the entry of the Judgment. Additionally, IFG seeks an order pursuant to Federal Rule of Civil Procedure 54(d) permitting IFG to file a further application for any attorney's fees and costs incurred after the entry of Judgment, including for any proceedings in before the United States Court of Appeals, Fifth Circuit.

For the following reasons, the motion is **GRANTED**. By separate judgment plaintiff IFG Port Holdings, LLC is awarded fees and costs in the additional amount of \$273,379.44. It is further **ORDERED** in accordance with Fed. R. Civ. P. 54(d) that IFG may file an application for the attorney's fees and costs it incurs subsequent to the Court's entry of Judgment at the conclusion of any such proceedings.

The Court's Written Reasons for Judgement provide that "IFG is entitled to attorney fees and all costs of this proceeding under LUTPA, La. R.S. § 51:1409(A) as well as Section 24.10 of the Ground Lease Agreement." Doc. 464 at 63 (referencing Doc. 419, att. 70, p. 31). In its

Judgment [doc. 627] and Supplemental Written Reasons for Judgment [doc. 626], the court awarded \$2,115,509 in attorneys' fees for work performed by outside counsel, along with additional fees for general counsel in the amount of \$1,085,000. IFG now represents to the court that IFG has continued to incur fees and costs following its submissions of damages on August 21, 2020 [doc. 469], through the date of entry of Judgment on March 14, 2022 [doc. 627], and IFG moves for an award of fees and costs in the additional amount of \$273,379.44. Doc. 630.

Although IFG notes that counsel for Defendant voiced opposition to the motion [doc. 630, p. 1], no formal opposition was filed by the response deadline of April 18, 2022. Finding no opposition, and consistent with the reasoning of this court's Supplemental Written Reasons for Judgment [doc. 626], the court grants the motion for additional attorneys' fees and renders judgment for that amount accordingly.

IFG also requests that the court issue an order pursuant to Federal Rule of Civil Procedure 54(d) permitting IFG to file an application for the attorney's fees and costs it incurs subsequent to the Court's entry of Judgment, including in any proceedings before the Fifth Circuit at the conclusion of any such proceedings. Doc. 630. Again, finding no opposition, it is

ORDERED that **IFG PORT HOLDINGS, LLC**, be and it is hereby permitted to file an application for attorney fees and costs following any further litigation in the district court an any proceedings before the Fifth Circuit Court of Appeal at the conclusion of any such proceedings.

THUS DONE AND SIGNED in Chambers this 19th day of May, 2022.



KATHLEEN K. [unclear]
UNITED STATES MAGISTRATE JUDGE