

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

CECELIA PERKINS

PLAINTIFF

V.

CAUSE NO. 3:18-CV-189-CWR-LRA

QUICK FOOD MART #3 INC.

DEFENDANT

ORDER GRANTING DEFAULT JUDGMENT

Before the Court are Plaintiff's motions for default judgment and attorney's fees. Docket Nos. 7, 18. The complaint was filed nearly a year ago on March 26, 2018. Defendant never answered the complaint or had an attorney enter an appearance on its behalf. The Clerk entered default on June 20, 2018.

On December 18, 2019, the Court held a hearing on damages, where Plaintiff presented evidence to support her entitlement to back pay and compensatory damages. Defendant was provided with notice of the hearing and a representative was present. That same day, the Court entered an Order deferring ruling on the motion for default judgment and directing Defendant to, within 30 days, have counsel enter an appearance.¹ Counsel has not appeared on behalf of Defendant. Defendant has not responded to the Court's Order or the motions for default judgment and attorney's fees. Plaintiff has submitted his affidavit, time records, and an invoice assessing the attorney's fees and costs. After considering the testimony and evidence and arguments of counsel, the Court agrees that the fees and costs are reasonable and the number of hours expended are reasonable under the circumstances. Thus, the motions are well-taken and should be granted. Plaintiff is awarded \$580 in back pay, \$5,000 in compensatory damages, *see*

¹ As a corporation, Quick Food Mart may only appear before the Court through a licensed attorney. *See Southwest Exp. Co., Inc. v. I.C.C.*, 670 F.2d 53, 56 (5th Cir. 1982).

Migis v. Pearle Vision, Inc., 135 F.3d 1041, 1048 (5th Cir. 1998), plus attorney's fees² and costs of \$4,735.50.

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of Plaintiff and against Defendant in the total amount of \$10,315.50. Interest shall run on this amount from this day forward at an annual rate of 2.55%. A Final Judgment will be entered on this day.

SO ORDERED, this the 5th day of March, 2019.

s/ Carlton W. Reeves _____
UNITED STATES DISTRICT JUDGE

² Based on the submissions, the Court finds that a reasonable hourly rate for counsel is \$280. See *Brown v. Miss. Dept. of Health*, No. 3:11-CV-146-CWR-FKB, 2013 WL 12128785, at *3-4 (S.D. Miss. March 5, 2013); *Schaeffer v. Warren Cty., Miss.*, No. 3:14-CV-945-DPJ-FKB, 2017 WL 5709640, at *10 (S.D. Miss. Nov. 27, 2017), *aff'd*, 744 Fed. App'x 871 (Dec. 7, 2018); and *Brooks v. Illusions*, No. 5:16-CV-31-KS-MTP, 2017 WL 1380464 (S.D. Miss. April 10, 2017).