

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

TRI-STATE TRUCK CENTER, INC.

PLAINTIFF

V.

CIVIL ACTION NO. 3:23-CV-410-DPJ-FKB

SAFEBAY TRANSPORT, LLC,
KH ENTERPRISE, LLC, KINA SANDERS,
KENYASCICUS SANDERS, ET AL.

DEFENDANTS

ORDER

In considering TSL's motion for default judgment [16], the Court desires additional information to substantiate the costs and attorneys' fees incurred by the two law firms involved. *See* Drinkwater Aff. [16-2] at 2 (offering to provide additional information upon request); Reback Declaration [16-4] at 1 (limiting declaration to total amount sought); *see also* *Miller v. Ledbetter*, No. 4:12-CV-97, 2013 WL 6817624, at *1 (S.D. Miss. Dec. 23, 2013) ("Generally, a request for attorneys' fees is not a 'sum certain' as contemplated by Rule 55(b)(1).") (citing *Stolicker v. Muller, Muller, Richmond, Harms, Myers, & Sgroi, P.C.*, No. 1:04-CV-733, 2005 WL 2180481, at *5 (W.D. Mich. Sept. 9, 2005) ("A reasonable attorney fee requires a judicial evaluation of the evidence regarding the fee. A sum certain, is just that, a liquidated amount that requires nothing further. Cases discussing whether a reasonable attorney fee is a sum certain in the context of the federal rules of civil procedure are instructive and establish that a 'reasonable attorney fee' is not a 'sum certain.'") (citations omitted)).

TSL should docket the supplemental filing within 10 days of this Order.¹

¹ As to the attorneys' fees paid in defending the California action (Reback Declaration), TSL may either (1) provide additional information showing these fees are reasonable or (2) explain why these fees should not be subject to the reasonableness inquiry under Rule 55(b)(1).

SO ORDERED AND ADJUDGED this the 13th day of November, 2023.

s/ Daniel P. Jordan III

CHIEF UNITED STATES DISTRICT JUDGE