

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:09cv376-DSC**

COMMERCIAL CREDIT GROUP, INC.,)	
)	
Plaintiff,)	
)	
)	
v.)	
<hr style="border: 0.5px solid black;"/>		
FALCON EQUIPMENT, LLC OF JAX,)	
FALCON EQUIPMENT, INC., TGR)	
ENTERPRISES, LLC, WILLIAM J. RIALS,)	
and DEREK J. RIALS,)	
)	
Defendants.)	
<hr style="border: 0.5px solid black;"/>		

ORDER

THIS MATTER is before the Court on Plaintiff’s “Affidavit of Plaintiff’s Attorney in Support of Award of Attorneys Fees” (document#23) filed January 12, 2010.

The amount of attorneys’ fees are awarded according to the following factors: the standing of the attorney at the bar, the means of the client, the nature and importance of the cause, the time and labor expended on behalf of the client, the amount involved in the litigation, and the amount finally recovered. Great American Indem. Co., 88 A.2d at 431 (Del.1952).

This matter arose from a series of loans Plaintiff made to Defendants Falcon Equipment, Inc. and Falcon Equipment, LLC of Jax for the purchase of construction equipment. The parties executed a “Negotiable Promissory Note” in the amount of \$2,207,135.10. The Court has granted summary judgment in favor of Plaintiff on the note in the principal amount of \$1,391,532.59 owing plus pre-judgment interest. (document#22). Plaintiff’s attorney serves as its in-house general counsel and has been a member of the bar since 1990. He has previous experience in private practice. The Court finds his stated hourly rate of \$150.00 to be reasonable.

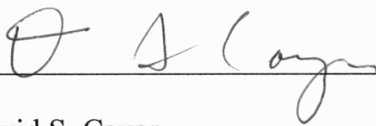
Plaintiff's counsel submits fifty-four hours expended on this matter, which the Court also finds to be reasonable. Plaintiff has also incurred \$485.00 in costs for filing and service of process.

Based upon the foregoing, the Court ORDERS:

1. Plaintiff shall recover attorneys' fees and expenses in the amount of \$8,585.00.
2. The Clerk is directed to send copies of this Order to counsel for the parties.

SO ORDERED.

Signed: January 13, 2010



David S. Cayer
United States Magistrate Judge

