

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PLANET AID, INC.,

Plaintiff,

v.

HELPING HANDS OF PA and PRECISE  
MOVING AND STORAGE, LLC,

Defendants.

CIVIL ACTION NO. 3:10-CV-2673

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

A hearing was held on Plaintiff, Planet Aid, Inc.'s Motion for Default Judgment against Helping Hands of PA (Doc. 69) on July 22, 2014. At that hearing, Rick Henningsen, the Operating Manager of Plaintiff, testified as to the losses suffered by Plaintiff as a result of the conversion, by Defendant, of various clothing bins owned by Plaintiff in the years 2010 through 2014. The bins were placed at various locations in the State of Connecticut. The conversion of the clothing bins therefore took place in the State of Connecticut, and Connecticut law applies to this case.

Mr. Henningsen testified that each bin yielded 60 pounds per week, and at various times there were thirteen or fourteen bins involved. The prices, per pound, of the content of the bins were: \$.30 for 2010-11, \$.36 for 2012 and \$.40 for 2013-14. Mr. Henningsen did the calculation for each of the years involved, and the following amounts represent the product taken by Defendant:

|              |                    |
|--------------|--------------------|
| 2010         | \$ 6,552.00        |
| 2011         | \$13,026.00        |
| 2012         | \$14,601.60        |
| 2013         | \$16,224.00        |
| 2014         | \$ 8,112.00        |
| <b>TOTAL</b> | <b>\$50,403.60</b> |

In addition, Plaintiff seeks reasonable attorney's fees which are authorized by the law of Connecticut. See *Smith v. Snyder*, 267 Conn. 456, 470, 839 A.2d 589, 599 (2004) ("General Statutes § 42-110g (d) provides in relevant part that, in any action in which a person alleges damages resulting from an unfair trade practice prohibited by § 42-110b of C[onnecticut] U[nfair] T[rade] P[ractices] A[ct], 'the court may award, to the plaintiff, in addition to the relief provided in this section, costs and reasonable attorneys' fees based on the work reasonably performed by an attorney and not on the amount of recovery....'"). Mr. Henningsen testified that he received an invoice from counsel in the amount of \$96,200.00 which represented 382.4 total hours. Viewing the Lode Star, a partner charged \$325.00 per hour and an associate charged \$225.00 per hour. I find both rates reasonable, and the hours expended reasonable. Therefore, an award of \$96,200.00 will be made in counsel fees as well.

**NOW, THEREFORE**, this 31<sup>st</sup> day of July, 2014, **IT IS HEREBY ORDERED** that Plaintiff, Planet Aid, Inc.'s Motion for Default Judgment as to Helping Hands of PA (Doc. 69) is **GRANTED**. Judgment is hereby entered in favor of Plaintiff, Planet Aid, Inc. and against Helping Hands of PA in accordance with Fed. R. Civ. P. 55(b)(2) in the amount of \$162,203.60 which represents \$50,403.60 in damages, and \$96,200.00 in attorney's fees.



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A. Richard Caputo  
United States District Judge