

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Wells Fargo Financial Leasing, Inc.,)	C/A No.: 3:09-1752-JFA
)	
Plaintiff,)	
)	
vs.)	ORDER ON ATTORNEY'S FEES
)	
Piggie Park Enterprises, Inc., d/b/a)	
Maurice's Gourmet Barbeque Pit-Stop,)	
)	
Defendant.)	
_____)	

By order dated February 5, 2010 (“Order”), the court granted the motion of plaintiff Wells Fargo Financial Leasing, Inc. (“Wells Fargo”) for summary judgment. The Order directed Wells Fargo to file an affidavit of the lease amounts remaining due under the lease agreement in question, including interest, costs and reasonable attorneys’ fees, so that a final order could be issued on the total amount due to Wells Fargo by defendant Piggie Park Enterprises, Inc., d/b/a Maurice’s Gourmet Barbeque Pit-Stop. Pursuant to the Order, Wells Fargo filed a memorandum on February 12, 2010, with supporting affidavits of the amounts from Peter G. Sullivan and William D. Britt, Jr., Esq. The Order provided an opportunity for defendant to lodge its objection to the fees by a filing within seven days of the filing of the affidavit. Defendant’s deadline to file a objection was February 19, 2010.

Defendant has failed to file an objection to the fees memorandum, therefore the court approves the amount sought by Wells Fargo without objection. The total amount due from defendant to Wells Fargo under the terms of the lease, including past due amounts and

interest, is One Hundred Thirteen Thousand Nine Hundred Ninety and 75/100 Dollars (\$113,990.75). The total amount of reasonable attorneys' fees and costs incurred by Wells Fargo in the prosecution of its claims and in the defense of defendant's counterclaims is Fifteen Thousand Five Hundred Thirty-four and 89/100 Dollars (\$15,534.89). Therefore, the total amount of damages incurred by Wells Fargo, including past due lease payments, interest, reasonable attorneys' fees and costs is One Hundred Twenty-nine Thousand Five Hundred Twenty-five and 64/100 Dollars (\$129,525.64), which amount the court approves as the judgment to be entered in this case.

This action is dismissed with prejudice. However, the court reserves jurisdiction to enforce the judgment entered in this case.

IT IS SO ORDERED.



February 24, 2010
Columbia, South Carolina

Joseph F. Anderson, Jr.
United States District Judge