

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

Nickey Gregory Company, LLC,)	
and Poppell’s Produce, Inc.,)	
)	
Plaintiffs,)	C.A. No. 6:07-3605-HMH
)	
vs.)	OPINION & ORDER
)	
AgriCap, LLC, a/k/a AgriCap Financial)	
Corporation,)	
)	
Defendant.)	

This matter is before the court on remand from the United States Court of Appeals for the Fourth Circuit. On March 4, 2010, the Fourth Circuit vacated the court’s “damage award and remand[ed] with instructions that the district court award Nickey Gregory [Company, LLC (‘Nickey Gregory’)] and Poppell’s Produce [, Inc. (‘Poppell’s Produce’)] the full amount of their unpaid balance, including Nickey Gregory’s reasonable attorneys’ fees.” Nickey Gregory Co., LLC v. AgriCap, LLC, Nos. 09-1130, 09-1162, 2010 WL 743590, at * (4th Cir. Mar. 4, 2010). “Nickey Gregory and Poppell’s Produce are still owed \$66,411.25 and \$40,284.61, respectively, for a total of \$106,695.86, and Nickey Gregory is also owed attorneys’ fees.” Id. at *4.

Therefore, it is

ORDERED that Nickey Gregory is awarded \$66,411.25, plus reasonable attorney's fees, and Poppell's Produce is awarded \$40,284.61. It is further

ORDERED that Nickey Gregory file a memorandum in support of attorney's fees within 30 days of this order.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
April 8, 2010