

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CARNES COMPANY, INC.,

Plaintiff,

v.

STONE CREEK MECHANICAL, INC.,

Defendant.

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ORDER

02-C-0208-C

In compliance with this court's order of December 4, 2003, counsel for plaintiff has submitted revised requests for attorney fees incurred in the collection of amounts owed plaintiff by defendant, together with plaintiff's computation of interest owing on its unpaid invoices. Defendant had an opportunity to object to the original fee requests; the new submissions are the product of the rulings I made on defendant's objections. I have reviewed the requests and find them reasonable, both as to hourly rates and as to time expended. They meet the market place test: plaintiff paid the bills when it had no assurance that it would ever be reimbursed for its payments.

Haley Palmersheim, S.C. has submitted a revised bill that includes the fees incurred since August 1, 2003. The total is \$107,838.00. Sweeney & Sweeney, S.C. has submitted

a revised bill that reflects the deletion of fees incurred for matters that did not involve the collection of the amounts owed plaintiff. Fox Rothchild LLP has submitted its original bill of \$19,739.50, which I found previously was a reasonable one. The total of the fees incurred is \$222,892.50. Total costs incurred were \$9,272.24.

Plaintiff has informed the court that a total of \$88,909.20 in interest is due on the unpaid invoices through December 15, 2003, with interest continuing to accrue at the rate of \$115.97 a day.

#### ORDER

IT IS ORDERED that plaintiff Carnes Company, Inc. is awarded attorney fees and costs of \$232,164.74. The clerk of court is directed to enter judgment for plaintiff, to include this award of attorney fees and costs.

Entered this 18th day of December, 2003.

BY THE COURT:

BARBARA B. CRABB  
District Judge