



HWS, LLC v. BWE, Inc. et al

2024 | Cited 0 times | E.D. Virginia | January 3, 2024

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division _____

Civil Action No. 1:23-cv-1289

ORDER This matter is before the Court on Plaintiff HWS, LLC s Amended Motion for Default , [Doc. No. 18], pursuant to Rule 55(b) of the Federal Rules of Civil Procedure. On December 8, 2023, the Magistrate Judge issued a report with proposed findings of fact and recommendations, [Doc. No. 32] , recommending that default judgment be entered in favor of Plaintiff and against the Defendant BWE, Inc. (BWE) for reimbursement under Va. Code Ann. § 46.2-1212.1. Specifically, the R&R recommends that the Court order the entry of default judgment with an award of \$104,911.64 in damages, along with prejudgment interest at a rate of six (6) percent. The R&R further recommends that the Court deny Plaintiff s request for attorneys fees, in light of Plaintiffs failure to show why the award would be reasonable or necessary. See [Doc. No. 32] at 13.

The Court conducted a de novo review of the evidence in this case and adopts and incorporates the findings and recommendations of the Magistrate Judge. Accordingly, it hereby

ORDERED that the Motion [Doc. No. 18] be, and the same hereby is, GRANTED in part and DENIED in part. It is GRANTED as to the damages and prejudgment interest sought and it

HWS, LLC,

Plaintiff, v.

Defendants. is DENIED without prejudice with respect to the request for attorneys fees and costs; and it is further

ORDERED that any further motions for attorneys fees and costs be filed within fourteen (14) days of this Order with any supporting documentation.



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The Clerk is directed to enter judgment in accordance with this Order in favor of Plaintiff pursuant to Fed. R. Civ. P. 58 and to forward copies of this Order to all counsel of record and to BWE at 1754 Forest Parkway, Morrow, GA, 30260, and to BWE s registered agent, Markesha Crossman, at 183 Radcliff Drive, McDonough, GA, 30253. The Clerk is further directed to close this case.

Alexandria, Virginia January 3, 2023

