

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

PROPANE RESOURCES SUPPLY AND
MARKETING, L.L.C.,

Plaintiff,

vs.

Case No. 12-2758-JTM

G.J. CREEL & SONS, INC., *et al.*,

Defendants.

MEMORANDUM AND ORDER

This matter is before the court on the plaintiff's Notice of Documented Fees and Costs. The court directed submission of this Notice after granting plaintiff's Motion to Enforce Settlement (Dkt. 54), the court explicitly determining that defendants had failed to comply with their settlement obligation to convey property by deed to plaintiff. The court therefore concluded, pursuant to D.Kan.R. 7.4 and for good cause shown, that "[t]he defendants have failed to present the promised Deed of Trust and are in breach of the agreement." (Dkt. 56). The court required delivery of the required deed with 20 days or gave notice that additional sanctions may be imposed. The court also directed the plaintiff to submit its statement as to its fees and costs.

The plaintiff seeks \$2,025 in fees on a joint and several basis against the defendants.

The court has reviewed the plaintiff's Notice and the supporting documentation, and determines that the amount sought is fair and reasonable in light of all the circumstances of the case, including the time expended, the nature of the work, the result obtained, and the quality of the representation. The court further notes that defendants have failed to file any objection to the Notice filed by plaintiff.

IT IS ACCORDINGLY ORDERED this 8th day of April, 2014, that the court hereby awards fees to plaintiff in the amount of \$2,025, jointly and severally, against defendants G.J. Creel & Sons, Inc., Creel Oil Company, Inc., G.J. Creel, Inc., Creel Investments, Inc., Bucksville Farms, Inc., Luther Barefoot (individually), and Benjamin J. Creel (individually).

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE