

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA**

Helcim USA, Inc. v. MJ/S Discount Warehouse, Inc., et al.

Helcim · No. 2:24-cv-1643-ACA · Decided February 2, 2026

SUMMARY

The United States District Court for the Northern District of Alabama awarded Helcim USA, Inc. \$43,645.60 in attorney’s fees after previously granting default judgment on claims for fraud, breach of contract, and indemnification. The court excluded fees attributable to related Washington litigation and an improperly filed first motion for default judgment.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION HELCIM USA, INC.,]] Plaintiff,]] v.] Case No. 2:24-cv-1643-ACA] MJ/S DISCOUNT WAREHOUSE, INC.,] et al.,]] Defendants.] MEMORANDUM OPINION AND ORDER This court previously granted Plaintiff Helcim USA, Inc.’s motion for default judgment on its claims for fraud, breach of contract, and indemnification and awarded Helcim liquidated damages, but withheld final judgment until the court received documentation in support of Helcim’s request for attorney’s fees.

(Doc. 50 at 1; see doc. 5 ¶ 81 (seeking attorney’s fees); doc. 1-1 at 15 (affording Helcim attorney’s fees under the contract)). After reviewing Helcim’s documentation (docs. 51, 54), the court WILL AWARD Helcim \$43,645.60 in attorney’s fees. Helcim seeks \$84,468.10 in attorney’s fees. (Doc. 51 at 2). Attorneys “must exclude from their fee applications excessive, redundant, or otherwise unnecessary hours.” Am.

C.L. Union of Georgia v. Barnes, 168 F.3d 423, 428 (11th Cir. 1999) (quotation marks omitted) (alteration accepted). If a fee applicant fails to do so, the court must “prun[e] out” those hours itself. Id. The court finds that two groups of fees are not reasonable.

First, some fees relate to a case in Washington that was voluntarily dismissed. (See doc. 54-1 at 10–12, 15–16, 19–21, 25–27, 30–31, 34–37, 41–43, 46–47). The invoices indicate that Helcim first litigated its claims against Defendants and sought an injunction in Washington, but then dismissed that case and re-filed in Alabama. (See id. at 43).

The court will not award attorney’s fees for the entries related exclusively to the Washington litigation, amounting to \$39,492.50. Second, Helcim moved for default judgment before moving for entry of default. (Doc. 29).

The court denied the motion. (See doc. 30). The two-step process to receive a default judgment is clearly delineated in Federal Rule of Civil Procedure 55. So the court will not award attorney's fees for the entries related to the first motion for default judgment (see doc. 54-1 at 63–64; doc. 51-1 at 4), amounting to \$1330.00.

The court WILL AWARD Helcim attorney's fees in the amount of \$43,645.60. The court will enter a separate final judgment consistent with this memorandum opinion and order and the court's previous memorandum opinion and order. (Doc. 50). DONE and ORDERED this February 2, 2026. ANNEMARIE CARNEY AXON UNITED STATES DISTRICT JUDGE