

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

MARIO ALEXIS and DOUGENIE ALEXIS,

Plaintiffs,

v.

PMM ENTERPRISES LLC, d/b/a EMPIRE
AUTO GROUP LLC

Defendants.

No. 3:17-cv-1622 (MPS)

RULING AND ORDER ON RENEWED MOTION FOR DAMAGES

On October 29, 2018, I granted the Plaintiffs' motion for default judgment in part, denied it in part, and denied it without prejudice in part. (ECF No. 19.) I found that the Plaintiffs had established that they were entitled to compensatory damages for the Defendant's breach of the implied warrant of merchantability, breach of an express warranty, and violation of the Connecticut Unfair Trade Practices Act (CUTPA). I also found that the Plaintiffs were entitled to punitive damages equal to their compensatory damages under CUTPA. I concluded, however, that the Plaintiffs had not established a factual basis for awarding the amount of damages they requested and granted them leave to file additional affidavits or documentation to support their request.

The Plaintiffs have now filed a renewed motion for damages. (ECF No. 21.) They include with their motion an affidavit by Mario Alexis. (ECF No. 21-1.) He states that he paid 44 installments of \$121.94 for the vehicle for a total of \$5,365.36. (*Id.* at 2.) He also states that he paid \$650.00 to have the vehicle inspected and attaches an invoice for the inspection. (*Id.* at 3; ECF No. 21-2.) I find that the affidavit and attachment establish that the Plaintiffs are entitled to an additional \$6,015.36 in compensatory damages. Together with the damages that they

established in their original motion for default judgment, the Plaintiffs are entitled to total compensatory damages of \$8,015.36. I also find that a commensurate increase in their punitive damages award is appropriate for substantially the reasons set out in my earlier ruling. (*See* ECF No. 19 at 13-14.) Thus, Plaintiffs are entitled to \$6,015.36 in additional punitive damages, for a total punitive damages award of \$8,015.36. I also held that the Plaintiffs were entitled to statutory damages totaling \$2,100.00 and attorneys' fees totaling \$7,000.00. As a result, between the ruling on default judgment and the present decision, I find that the Plaintiffs are entitled to (1) statutory damages of \$2,100.00; (2) compensatory damages of \$8,015.36; (3) punitive damages of \$8,015.36; and (4) \$7,000.00 in attorneys' fees.

The Clerk is directed to enter judgment for the Plaintiffs in the total amount of \$25,130.72 and close this case.

IT IS SO ORDERED.

/s/
Michael P. Shea, U.S.D.J.

Dated: Hartford, Connecticut
November 8, 2018