

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

SEMMATERIALS, L.P.,	)	
	)	
Plaintiff,	)	Case No. CV 05-320-S-LMB
	)	
v.	)	<b>DEFAULT JUDGMENT</b>
	)	
ALLIANCE ASPHALT, INC.,	)	
	)	
Defendant.	)	
_____	)	

**THIS MATTER** coming before the Court following entry of default against Defendant Alliance Asphalt, Inc. (“Defendant”) with respect to Plaintiff SemMaterials, L.P.’s breach of contract and unjust enrichment claims and Defendant’s counterclaims, and following an evidentiary hearing concerning the amount of damages Plaintiff SemMaterials, L.P. (“Plaintiff”) sustained as a result of Defendant’s breach of contract and unjust enrichment, and entry by the Court of certain Findings of Fact, Conclusions of Law and Order (Docket No. 50), JUDGMENT IS HEREBY ENTERED against Defendant.

IT IS THEREFOR ORDERED, ADJUDGED, AND DECREED:

1. That Judgment is entered in favor of Plaintiff and against Defendant in the sum of \$110,459.00 (representing the support payments paid), together with prejudgment interest in the amount of \$46,050.91, plus \$94,970.83 (representing the trailer rental and delivery costs incurred), together with prejudgment interest in the amount of \$15,622.38, **for a total judgment of \$267,103.12.**

2. This case is DISMISSED in its entirety, with prejudice.

3. This Judgment shall include post-judgment interest until satisfied in full at the applicable rate pursuant to Idaho Code § 28-22-104(2).

4. This Judgment shall be amended accordingly after the Court has an opportunity to review the documentation submitted in support of Plaintiff's claim for attorney fees and costs and to enter an appropriate order.



DATED: **January 25, 2007.**

A handwritten signature in black ink, reading "Larry M. Boyle".

Honorable Larry M. Boyle  
Chief U. S. Magistrate Judge