

CAUSE NO. 2023-54171

HPFS, INC.	§	IN THE DISTRICT COURT OF
	§	
PLAINTIFF,	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
SAP TRANSPORTATION, INC.,	§	
	§	
DEFENDANT.	§	281 <sup>ST</sup> JUDICIAL DISTRICT

**DEFAULT JUDGMENT**

Came on to be heard the above-entitled and numbered cause wherein HPFS, Inc. (“HPFS”) is Plaintiff and SAP Transportation, Inc. (“SAP”) is Defendant. HPFS appeared in person and by its attorney of record and announced ready for trial. SAP although having been duly and legally cited to appear and answer, have failed to appear and answer and have wholly made default.

Citation was served on SAP according to law and was returned to the Harris County District clerk where the return of service has remained on file for the time required by law. The Court has read the pleadings and the papers on file and is of the opinion that the allegations contained in the Plaintiff’s Original Petition have been admitted and that the cause of action is liquidated and proven by instruments in writing. The Court has considered the Declaration of Azhar Khan in support of the Plaintiff’s claim for damages and has considered the Declaration of Robert J. Kruckemeyer in support of Plaintiff’s claim for attorneys’ fees. It is therefore

**ORDERED, ADJUDGED and DECREED** that the material allegations of Plaintiff’s Original Petition be and the same are deemed admitted as SAP and that HPFS have and recover of and from SAP as follows:

Actual damages in the amount of \$96,568.59 as of December 11, 2023.

Pre-judgment interest through December 11, 2023, in the amount of \$1,396.93 with interest accruing thereafter through the date of judgment at the rate of \$15.87 per day.

Attorneys' fees in the amount of \$5,000.00 through the trial of this matter; an additional attorneys' fee of \$25,000.00 should this matter be appealed to the court of appeals and such appeal is unsuccessful; the additional sum of \$25,000.00 is awarded to HPFS in the event that this matter is appealed to the Texas Supreme Court and appeal is unsuccessful.

IT IS FURTHER ORDERED that the judgment here rendered shall bear interest at the rate of eight and 1/2 percent (8.5%) from the date of judgment until paid.

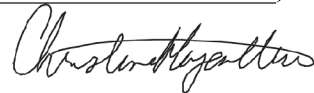
All costs of court expended or incurred in this cause are adjudged against SAP.

All writs and processes for the enforcement and collection of this judgment or the costs of court may issue as necessary.

All relief not expressly granted herein is denied.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2024.

Signed:  
2/13/2024



\_\_\_\_\_  
Judge Presiding

APPROVED AS TO FORM AND SUBSTANCE:

/s/ Robert J. Kruckemeyer

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HPFS, INC.