

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

ACF 2006 CORP.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:13-cv-01286-TWP-DML
	)	
WILLIAM F. CONOUR, CONOUR LAW	)	
FIRM, LLC, MARK C. LADENDORF	)	
ATTORNEY AT LAW, P.C., and TIMOTHY F.	)	
DEVEREUX,	)	
	)	
Defendants.	)	
	)	
v.	)	
	)	
DAVID L. BEALS, SR., LORETTA BEALS,	)	
KRISTEN BEALS by her Guardians DAVID L.	)	
BEALS, SR. and LORETTA BEALS,	)	
	)	
Intervenors.	)	

**ENTRY FOLLOWING MANDATE FROM THE  
SEVENTH CIRCUIT COURT OF APPEALS**

This matter is before the Court pursuant to the Mandate from the Seventh Circuit Court of Appeals. The Mandate instructs as follows: The judgment of the District Court is **REVERSED**, with costs, and the case is **REMANDED** for the entry of judgment consistent with this opinion. ([Filing No. 180.](#)) In accordance with the district court’s Local Rule 16-2, the parties each filed position statements.

In their respective statements, the parties invited the Court to take various actions regarding the order following the Mandate. The Court declines the parties’ contrasting invitations to determine co-counsel fees for the Ken Nunn Law Office, the Keller & Keller Law Firm, and the Ladendorf firm, and to determine whether or not the Beals Intervenors have a lien under Indiana

Code § 30-4-3-22(b). Instead, the Court follows the simple mandate from the Seventh Circuit which requires only the entry of judgment and does not instruct the reopening of proceedings or reconsideration of prior rulings. For the reasons set forth in the Mandate of the United States Court of Appeals for the Seventh Circuit entered on August 1, 2016:

1. The Court enters Final Judgment against Plaintiff, ACF 2006 Corp. and directs that ACF 2006 Corp. take nothing by its claims asserted in this action.

2. The Court enters Final Judgment in favor of Intervenors, David L. Beals, Sr., Loretta Beals, and Kristen Beals, by her Guardians David L. Beals, Sr. and Loretta Beals, in the amount of \$358,069.83.

3. The Court orders appellate costs to be assessed against ACF 2006 Corp. in the amount of \$500.00 payable to the Beals Intervenors, and an additional \$500.00 payable to Ladendorf / Devereux for costs assessed by the Court of Appeals. Judgment is entered against ACF 2006 Corp. in those amounts.

4. The quantum meruit claim associated with the N.E. case is dismissed for lack of jurisdiction as unripe.

**SO ORDERED.**

Date: 9/19/2016



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TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

DISTRIBUTION:

Austin L. McMullen  
BRADLEY ARANT BOULT CUMMINGS, LLP  
amcmullen@babc.com

Roger G. Jones  
BRADLEY ARANT BOULT CUMMINGS, LLP  
rjones@babc.com

Christopher Charles Hagenow  
HOPPER & BLACKWELL  
chagenow@hopperblackwell.com

Mark C. Ladendorf  
LADENDORF & LADENDORF  
mark@ladendorf.com

Timothy Francis Devereux  
LADENDORF & LADENDORF  
tim@ladendorf.com

James R. Fisher  
MILLER & FISHER, LLC  
fisher@millerfisher.com

Debra H. Miller  
MILLER & FISHER, LLC  
miller@millerfisher.com