

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

SOUTHEAST MISSISSIPPI LIVESTOCK (A.A.L.) and	)	
LIVESTOCK PRODUCERS ASSOCIATION (AAL), PLAINTIFFS	)	
	)	
V.	)	CIVIL NO. 2:13CV138KS-MTP
	)	
JACOB THOMPSON, individually and d/b/a JACOB	)	
THOMPSON CATTLE, MICHELLE THOMPSON, individually	)	
and d/b/a JACOB THOMPSON CATTLE, BENSON WAYNE	)	
THOMPSON, individually and d/b/a JACOB THOMPSON	)	
CATTLE, GARY THOMPSON, individually and d/b/a JACOB	)	
THOMPSON CATTLE and/or THOMPSON CATTLE, AND	)	
JOHN DOES 1 – 25, DEFENDANTS	)	

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DEFAULT JUDGMENT

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**THIS MATTER** having come before the Court on March 12, 2014 on Motion For Default Judgment filed by Southeast Mississippi Livestock Association AAL and Livestock Producers Association AAL, and the Court after having read the pleadings, heard testimony, and otherwise being advised in the premises does as follows, to-wit:

1. That the Defendants were each served with process and have failed to file an answer or otherwise respond in this action.
2. That the Defendants were each served with Requests for Admission and have failed to file a response and, therefore, under the Federal Rules of Civil Procedure the requests are deemed admitted.
3. That the Defendants, Jacob Thompson, Michelle Thompson, Benson Wayne Thompson, and Gary Thompson, were operating a business known as Jacob Thompson Cattle or Thompson Cattle Company.

4. That the Defendants were involved in a scheme to secure money by purchasing cattle without paying the full amount; that there were at least two predicate events, that being the checks that were written to Livestock Producers Association and Southeast Mississippi Livestock Association; that on a number of occasions, the Defendants violated the Packers and Stockyards Act by not paying for the cattle as prescribed by law; and that the Defendants were a business enterprise under the RICO statute.

5. That because of the underlying events, including the defrauding of the Plaintiffs and the violations of the Packers and Stockyards Act, this Court has subject matter jurisdiction based upon violations under the RICO statute.

6. That the Defendants have engaged in a pattern of activity over a period of time, thereby causing the Plaintiffs to suffer damages.

7. That Plaintiff Southeast Mississippi Livestock, A.A.L. has suffered actual damages in the amount of Forty Thousand Five Hundred Fifty Nine and 58/100 Dollars (\$40,559.58); that Plaintiff Livestock Producers Association, A.A.L. has suffered actual damages in the amount of Seventeen Thousand Six Hundred Seventy Three and 88/100 Dollars (\$17,673.88), for the total actual damage of Fifty Eight Thousand Two Hundred Thirty Three and 46/100 Dollars (\$58,233.46).

8. That under the RICO statute, the Defendants are liable in the amount of three times the actual damages, or One Hundred Seventy Four Thousand Seven Hundred and 38/100 Dollars (\$174,700.38).

9. That the RICO statute provides for payment of attorney's fees and costs, which the Court finds that the Plaintiffs employed Cynthia Re and the law firm of Sims & Re, PLLC at a

rate of One Hundred Fifty Dollars (\$150.00) per hour, which is deemed reasonable for this type of work, and costs associated with the filing and service of Defendants for the total amount of Twelve Thousand Four Hundred Seventy Dollars (\$12,470.00).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Plaintiffs are awarded Judgment against the Defendants, Jacob Thompson, Michelle Thompson, Benson Wayne Thompson, and Gary Thompson, individually and collectively, in the following amount:

Actual Damages:	\$58,233.46
Southeast Mississippi Livestock Association A.A.L.	\$ 40,559.58
Livestock Producers Association A.A.L.	\$ 17,673.88
Punitive Damages (3x):	\$174,700.38
Attorney's fees and costs	<u>\$12,470.00</u>
<b>TOTAL JUDGMENT</b>	<b>\$245,403.84</b>

That interest shall accrue from the date of this judgment until collected at a rate of 0.ten per cent (0.10%).

SO ORDERED on this the 24th day of April, 2014.

*s/Keith Starrett*  
UNITED STATES DISTRICT COURT JUDGE

Prepared by:  
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