

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BANK OF AMERICA, N.A.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 2:10cv975-CSC
)	(WO)
THOMAS E. NEWTON, <i>et al.</i> ,)	
)	
Defendants.)	

BANK OF AMERICA, N.A.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 2:10cv976-CSC
)	(WO)
NEWTON OLDACRE)	
MCDONALD, LLC,)	
)	
Defendant.)	

FINAL JUDGMENT

In accordance with the memorandum opinion entered herewith, and based on prior proceedings, orders, and opinions of the Court, it is ORDERED and ADJUDGED as follows:

1. Judgment be and is hereby ENTERED in favor of the plaintiff and against the defendants on its breach of contract claim, and the plaintiff is AWARDED damages in the amount of \$1,063,827.52 in compensatory damages and \$166,148.52 in prejudgment interest
2. Judgment be and is hereby ENTERED in favor of the defendants and against

the plaintiff on the plaintiff's fraudulent conveyance and breach of fiduciary duty claims, and these claims be and are DISMISSED with prejudice.

3. Judgment be and is hereby ENTERED in favor of NOM and against the plaintiff on NOM's breach of contract counterclaim to the extent that NOM is AWARDED damages in the amount of \$20,323.00 in compensatory damages and \$4335.86 in prejudgment interest.

4. Judgment be and is hereby ENTERED in favor of the plaintiff and against NOM on NOM's counterclaims of conversion and intentional interference claims, and these claims be and are hereby DISMISSED with prejudice.

The Clerk of the Court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Done this 5th day of November, 2012.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE