

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
Southern Division**

WELLS FARGO BANK,)
NATIONAL ASSOCIATION,)
successor by merger to Wachovia)
Bank, National Association,)

Plaintiff,)

v.)

RONNIE GILLEY)
CONSTRUCTION OZARK, INC)
and RONALD E. GILLEY,)

Defendants.)

CIVIL ACTION NUMBER:
1:11-cv-00330-MHT-WC
(WO)

CONSENT JUDGMENT

This matter comes before the Court on the Complaint filed by Wells Fargo Bank, National Association, successor-by-merger to Wachovia Bank, National Association (hereinafter "Plaintiff") against the defendants Ronnie Gilley Construction Ozark, Inc. and Ronald E. Gilley (collectively, "Defendants"), and the *Joint Motion For Entry of Consent Judgment* (the "Joint Motion") filed by the parties.

Based upon the request of the parties, and for good cause shown, the Court hereby **ORDERS, ADJUDGES, and DECREES** that:

1. The Joint Motion (Doc. No. 30) is **GRANTED**.

2. As of December 27, 2011, Defendants are obligated to Plaintiff in the amount of \$137,725.25, consisting of \$108,920.36 in principal, \$14,317.92 in accrued interest, \$1,332.02 in late fees and \$13,154.95 in attorneys' fees and costs. Interest continues to accrue on the Defendants' obligations at the rate of \$33.67 per diem.

3. Judgment is hereby **GRANTED** in favor of Wells Fargo Bank, National Association, successor-by-merger to Wachovia Bank, National Association and against defendants Ronnie Gilley Construction Ozark, Inc. and Ronald E. Gilley, jointly and severally, in the amount of **ONE HUNDRED THIRTY-EIGHT THOUSAND, ONE HUNDRED NINETY-SIX AND 63/100 DOLLARS (\$138,196.63)**.¹

4. The parties are to bear their own costs.

5. Plaintiff shall be entitled to recover post-judgment interest from Defendants at the legal contractual rate of 11.3 percent (11.3%), accruing at \$33.67 per diem, plus reasonable attorneys' fees and expenses incurred in executing and collecting on this judgment.

6. This Court retains jurisdiction over this matter for the purposes of handling any motions or other matters relating to the enforcement and collection of

¹ As of December 27, 2011, Ronnie Gilley Construction Ozark, Inc. and Ronald E. Gilley owed Wells Fargo Bank, National Association, \$137,725.25, with interest accruing at the rate of \$33.67 per diem. Consequently, as of January 10, 2012, Ronnie Gilley Construction Ozark, Inc. and Ronald E. Gilley owe Wells Fargo Bank, National Association \$137,725.25 + (\$33.67 x 14 days) = \$138,196.63.

the Consent Judgment, and making an award of attorneys' fees to the Plaintiff for its future collection costs, if any. This case is closed.

SO ORDERED this the 10th day of January, 2012,

/s/ Myron H. Thompson
United States District Court Judge