

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

WILLIAM CASTLEBERRY, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO. 96-S-1798-N
	)	(WO)
GOLDOME CREDIT CORP., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On October 5, 2005, the Eleventh Circuit Court of Appeals issued its mandate, decision reversing the judgment of this court and remanding this matter for further proceedings in accordance with its opinion. *See Castleberry v. Goldome*, No. 03-12484 (11<sup>th</sup> Cir. Aug. 8, 2005). Pursuant to 28 U.S.C. § 636(c)(1) and M.D. Ala. LR 73.1, the parties have consented to the United States Magistrate Judge conducting all proceedings in this case and ordering the entry of final judgment. Also pending before the court is the Daiwa defendants' motion for attorney's fees (doc. # 271). On October 12, 2005, the Daiwa defendants filed a response to this court's show cause order agreeing that judgment should be entered in favor of Goldome Credit Corporation and against Daiwa Finance Corporation and that their motion for attorney's fees is due to be denied as moot. (Doc. # 325). The court will enter a separate final judgment. Accordingly, it is

ORDERED that the defendants' motion for attorney's fees (doc. # 271) be and is

hereby DENIED as moot.

Done this 14th day of October, 2005.

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