

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

FIRST TUSKEGEE BANK,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:10-CV-461-MEF
)	
MARSHA D. ELMORE, <i>et al.</i> ,)	(WO - DO NOT PUBLISH)
)	
Defendants.)	

ORDER

At the hearing before this Court on March 10, 2011, all parties represented on the record that each agreed the United States was due to be awarded the interpleaded funds in this case. Defendant Marsha Elmore ("Elmore") was present at the hearing. She testified that she would not pursue any interest she had in the interpleaded funds and had no objections to the United States receiving the money. Elmore's attorney of record also represented that Elmore would not claim an interest in the funds. First Tuskegee, having moved for discharge from the suit, had no objections to a judgment entered in favor of the United States. The United States maintained that it has an interest in the funds. The Court finds that all parties are in agreement that interpleaded funds in this case are due to be awarded to the United States.

Accordingly, the Clerk of the Court, without further Order, is hereby DIRECTED and AUTHORIZED to draw a check on the funds on deposit in the Commercial Registry Account and DISBURSE just compensation, in the principal sum of \$194,817.32, plus

90% of accrued interest, in a check made payable to the United States Treasury. Said check should be mailed to Gregory L. Jones, attorney for the United States, at P.O. Box 14198, Washington, D.C. 20044. The balance of 10% of accrued interest shall be paid to the U.S. Treasury as a handling fee pursuant to 28 U.S.C. § 1914(b) and FRDOC 91-26415 reported at 56 Fed. Reg. 56356 and directions received from the Administrative Office of U.S. Courts on February 7, 1992.

It is further ORDERED that upon the disbursement of the interpleaded funds, judgment will be entered, and this matter will be DISMISSED WITH PREJUDICE as to all parties.

DONE this the 16th day of March, 2011.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE