

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

WELLS FARGO BANK, National)
Association,)
)
Plaintiff,)
)
v.)
)
MAX KEITH NORMAN)
RESIDENTIAL DESIGN, INC.,)
MAX KEITH NORMAN, and HOPE)
M. NORMAN,)
)
Defendants.)

CIVIL ACTION NO.
2:15cv736-MHT
(WO)

CONSENT JUDGMENT

This cause is before the court on the "Joint Motion for Entry of Consent Judgment and Order" (doc. no. 21) filed by plaintiff Wells Fargo Bank, National Association ("Wells Fargo") and defendants Max Keith Norman Residential Design, Inc. ("MKN"), and Max Keith Norman and Hope M. Norman (collectively, the "Normans," and together with MKN, "Defendants"). Upon due consideration of the parties' filings and the pleadings in this action, the court finds that the motion should be granted.

Accordingly, it is ORDERED, ADJUDGED, and DECREED as follows:

Findings of Fact

1. In 2008 and 2009, Wells Fargo made certain monetary loans to MKN, which were unconditionally guaranteed by the Normans.

2. Pursuant to the loan documents, Wells Fargo agreed to loan MKN certain sums of money in exchange for Defendants' promise to make payments to Wells Fargo in return.

3. Defendants failed to repay Wells Fargo as agreed under the loan documents.

4. Accordingly, on April 3, 2015, Wells Fargo demanded payment of all amounts due by Defendants under the loan documents.

5. Despite Wells Fargo's demand for payment, Defendants failed to repay Wells Fargo any amounts due under the loan documents.

6. Accordingly, Wells Fargo filed a complaint (doc. no. 1) with this court on October 6, 2015 seeking

recovery of \$116,057.22, together with and including, without limitation, all attorneys' fees and court costs incurred by Wells Fargo in enforcing its rights under the loan documents.

7. Defendants filed an answer and counterclaim (doc. no. 10) on October 29, 2015, which was amended on November 24, 2015 (docs. no. 15).

8. Defendants consent to entry of judgment against them for \$122,838.51¹, with interest to run on said judgment at the applicable post-judgment rate.

Relief

Based on the above findings of fact, the record in this case, and Defendants' consent to the relief requested by the plaintiff, it is further ORDERED, ADJUDGED, and DECREED that:

1. The joint motion for entry of consent judgment and order (doc. no. 21) is granted.

1. This amount is greater than the amount sought in the complaint due to accruing interest.

2. Judgment is entered in favor of plaintiff Wells Fargo Bank, National Association, and against defendants Max Keith Norman Residential Design, Inc., Max Keith Norman, and Hope M. Norman, jointly and severally, in the amount of \$122,838.51.

3. Defendants' counterclaim (doc. nos. 10, 15) is dismissed with prejudice.

4. The costs of this action are taxed as paid.

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.

This case is closed.

DONE, this the 7th day of November, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE