

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

WACHOVIA BANK, NATIONAL )  
ASSOCIATION, successor by )  
merger to SouthTrust Bank, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
5300 PEACHTREE, L.P.; )  
MILES E. HILL, JR.; and )  
FRED BENNETT, )  
 )  
Defendants. )

CIVIL ACTION NO.  
3:07cv1097-MHT  
(WO)

JUDGMENT

Pursuant to the joint stipulation of dismissal (Doc. No. 34), it is the ORDER, JUDGMENT, and DECREE of the court that all claims in this action and related to this action by and among the parties are dismissed as follows:

- (1) As to Wachovia Bank, National Association, Miles E. Hill, Jr. and Fred Bennett, with prejudice.
- (2) As to 5300Peachtree, L.P., without prejudice.

It is further ORDERED that the parties are to bear their own costs.

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 the 27th day of January, 2009.

      /s/ Myron H. Thompson        
UNITED STATES DISTRICT JUDGE