

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

WACHOVIA BANK,	)	
National Association,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	3:09cv1077-MHT
	)	(WO)
SHADOWWOOD HOLDINGS,	)	
LLC, et al.,	)	
	)	
Defendants.	)	

OPINION

This lawsuit is now before the court on plaintiff Wachovia Bank, National Association's motion for summary judgment against defendants Shadowwood Holdings, LLC and John W. Rice. Wachovia seeks to recover from the defendants (1) the sum of \$ 1,580,121.26, (2) prejudgment interest and (3) court costs. Rule 56(c)(2) of the Federal Rules of Civil Procedure provides that summary judgment is appropriate where "there is no genuine issue as to any material fact and that the movant is entitled to judgment as a matter of law."

The defendants' response to Wachovia's motion raises just one objection: Wachovia's request for \$ 7,500 in "estimated future attorney's fees and expenses." Wachovia states in response that it does not object to the court's entry of summary judgment in its favor for all amounts claimed in the motion for summary judgment less \$ 7,500 for anticipated attorneys' fees.

Thus, the undisputed evidence before the court is as follows. Wachovia loaned monies to Shadowwood under two non-revolving lines of credit. Shadowwood executed promissory notes in favor of Wachovia to evidence Shadowwood's obligations under both lines of credit. Rice personally and unconditionally guaranteed all of Shadowwood's obligations to Wachovia under both lines of credit. Shadowwood defaulted on its loan obligations to Wachovia. As a result of the defaults, Shadowwood and Rice owe Wachovia \$ 1,572,621.26 as of June 3, 2010. In addition, Shadowwood and Rice owe interest on that amount, plus costs for this lawsuit.

An appropriate judgment will be entered granting Wachovia's summary judgment motion to the extent that it may recover \$ 1,572,621.26 (\$ 1,580,121.26 - \$ 7,500) plus pre-judgment interest and court costs.

DONE, this the 16th day of August, 2010.

      /s/ Myron H. Thompson        
UNITED STATES DISTRICT JUDGE