

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

DCR REAL ESTATE VI SUB II,)	
LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 4:14-CV-2226-VEH
)	
HUDAK AND DAWSON)	
DEVELOPMENT COMPANY,)	
LLC, ET AL,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on May 12, 2015,
recommending that

[DCR Real Estate VI Sub II, LLC’s (“DCR’s”)] motion for summary judgment, (doc. 29), be **GRANTED**, its motion for default judgment, (doc. 31), be **GRANTED**, and judgment be entered in favor of DCR as against Defendants in the amount of **\$339,820.36**, representing \$288,805.55 in amounts due under the Loan and \$51,014.81 in attorneys’ fees and expenses, plus additional pre-judgment interest and post-judgment interest.

(Doc. 32 at 7) (bold in original). The time for filing objections to the recommendation has expired, and no objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the

court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that there are no genuine issues of material fact and that DCR is entitled to both judgment as a matter of law, and to judgment by default. Accordingly, DCR's motion for summary judgment is due to be **GRANTED** and DCR's motion for default judgment is due to be **GRANTED**. Judgment is due to be entered on both pursuant to the terms stated by the magistrate. A Final Judgment will be entered consistent with those terms.

DONE this the 16th day of June, 2015.



VIRGINIA EMERSON HOPKINS
United States District Judge