

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**WELLS FARGO BANK, NATIONAL)
ASSOCIATION, successor by merger to)
WACHOVIA BANK NATIONAL)
ASSOCIATION,)**

Plaintiff,

CIVIL ACTION NO. 09-567-CG-B

v.

**THE MYERS GROUP, INC., HARRY E.)
MYERS, III, and DAENA R. MYERS,)**

Defendants.

CONSENT JUDGMENT

This matter comes before the Court on the Complaint filed by plaintiff Wells Fargo Bank, National Association, successor by merger to Wachovia Bank, National Association (“Plaintiff”) against the defendants The Myers Group, Inc., Harry E. Myers, III, and Daena R. Myers (collectively “Defendants”) on or about August 31, 2009, and the Joint Motion For Entry of Consent Judgment (the “Joint Motion”) filed by the parties. (Doc. 31)

Based upon the request of the parties, and for good cause shown, the Court hereby **ORDERS, ADJUDGES, and DECREES** that:

Judgment is hereby **GRANTED** in favor of Wells Fargo Bank National Association, successor by merger to Wachovia Bank, National Association, and against The Myers Group, Inc., Harry E. Myers, III, and Daena R. Myers, jointly and severally, in the amount of \$1,962,279.83, plus pre-judgment interest in the amount of \$1,091.40, representing accrued interest from June 7, 2010 to the date hereof at the per diem rate of \$218.28; and post-judgment interest at the rate of 0.36% pursuant to Title 28 § 1961. The parties are to bear their own costs.

Plaintiff shall be entitled to recover reasonable attorneys' fees and expenses incurred in executing and collecting on Consent Judgment.

This Court retains jurisdiction over this matter for the purposes of handling any motions or other matters relating to the enforcement and collection of the Consent Judgment, and making an award of attorneys' fees to the Plaintiff for its future collection costs, if any.

DONE and ORDERED this 11th day of June, 2010.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE