

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

WHITNEY BANK,)	
)	
Plaintiff)	
)	
vs.)	CIVIL ACTION NO. 12-0198-CG-C
)	
THOMAS SWEARINGEN,)	
)	
Defendant.)	

FINAL JUDGMENT

In accordance with the memoranda, opinions and orders granting plaintiff's motions for summary judgment (Docs. 50, 55,65), and there being no just reason for delay pursuant to Rule 54(b) of the Federal Rules of Civil Procedures, it is **ORDERED, ADJUDGED** and **DECREED** that judgment is entered in favor of plaintiff, Whitney Bank, formerly known as Hancock Bank of Louisiana, Successor in merger to Whitney National Bank, against defendant, Thomas Swearingen.

Whitney Bank is hereby awarded a judgment against Thomas Swearingen in the amount of \$108,749.87, which consists of a principle balance in the amount of \$65,668.50, accrued interest in the amount of \$16,043.65, accrued late fees in the amount of \$113.59, appraisal fee in the amount of \$975.00, and attorneys' fees and costs, which are recoverable under the Loan Documents in the amount of \$25,949.13.

It is further **ORDERED** that Thomas Swearingen's counter-claims against Whitney Bank are hereby **DISMISSED with prejudice**.

DONE and ORDERED this 5th day of February, 2013.

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