

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

SPRINGLEAF FINANCIAL SERVICES	:	
OF ALABAMA, INC. f/d/b/a		
AMERICAN GENERAL FINANCIAL	:	
SERVICES OF ALABAMA, INC.,		
	:	
Plaintiff,		
	:	
v.		CA 12-00579-C
	:	
THE F/V WHITEWATER, her engines		<i>In Admiralty</i>
tackle, boilers, furniture, appurtenances,	:	<i>In Rem</i>
etc., IMO Number: MYN47004M81H, <i>in</i>		<i>In Personam</i>
<i>rem</i> ; JOHN M. FRANCIS; MARY G.	:	
FRANCIS; and JOHN M. FRANCIS, II,		
<i>in personam</i> ,	:	
Defendants.	:	

JUDGMENT

In accordance with the memorandum opinion and order entered on December 9, 2013 (Doc. 70), it is hereby **ORDERED, ADJUDGED,** and **DECREED** that plaintiff's motion for summary judgment (Doc. 61) is **GRANTED**. The plaintiff is entitled to recover \$65,010.67 under the Loan Agreement. However, the *in personam* defendants are entitled to an offset in the amount of \$30,000.00, as explained in the Court's memorandum opinion and order (Doc. 70). Accordingly, final judgment shall be entered against the *in personam* defendants in the amount of \$35,010.67¹ with post-

¹ The *in personam* defendants' motion for the entry of final judgment in the amount of \$35,010.67 (Doc. 71) is hereby rendered **MOOT**.

judgment interest to accrue at the rate of 0.13% from this date forward. Each party shall bear his, her, or its own costs.²

DONE this the 7th day of January, 2014.

s/WILLIAM E. CASSADY
UNITED STATES MAGISTRATE JUDGE

² Neither fees nor costs will be awarded in this matter as a properly supported motion seeking fees and costs was not filed by December 30, 2013, as ordered by the Court (Doc. 70 at 16).