

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

ONE BANK & TRUST, N.A.

PLAINTIFF

VS.

CASE NO. 4:11-cv-00567-KGB

CARMELO GALEA a/k/a CHARLES GALEA, Individually,
FAE A. GALEA, Individually, and
ANTHONY W. IMBIMBO, as Trustee
of THE CARMELO GALEA FAMILY
INSURANCE TRUST

DEFENDANTS

JUDGMENT

For the reasons set forth in the Court's Opinion and Order entered on December 3, 2012 (Doc. 65), IT IS HEREBY ORDERED AND ADJUDGED THAT Plaintiff, One Bank & Trust, N.A.'s ("**One Bank**" or "**Plaintiff**") Motion for Summary Judgment (Doc. 47) is GRANTED in favor of Plaintiff as to Defendants' counterclaims for fraud and mutual mistake, and GRANTED in favor of Plaintiff as to Plaintiff's claims against The Carmelo Galea Family Insurance Trust on that certain Promissory Note and Security Agreement, as modified, ("**Note No. 177714**") and against Carmelo Galea a/k/a Charles Galea on that certain Guaranty Agreement¹

THEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED that One Bank & Trust, N.A., is hereby granted *in personam* judgment against Anthony W. Imbimbo, as Trustee of the Carmelo Galea Family Insurance Trust, and Carmelo Galea a/k/a Charles Galea, jointly and severally, in the amount of Two Million Three Hundred Twenty-Four Thousand One Hundred Fifty-Four and 92/100 Dollars (\$2,324,154.92), consisting of an unpaid principal balance owed on Note

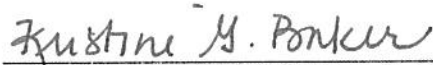
¹ Plaintiff's claim against Fae A. Galea has been dismissed without prejudice pursuant to a Stipulation of Dismissal submitted by the parties contemporaneous with this Judgment.

No. 177714 of \$1,738,590.00, plus accrued pre-judgment interest as of December 5, 2012 in the amount of \$585,564.92, with interest accruing on the judgment pursuant to applicable law; and

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that, pursuant to Rule 54(d), Federal Rules of Civil Procedure, and Local Rule 54.1, One Bank & Trust, N.A., shall also be awarded its court costs, attorney's fees, and related nontaxable expenses in the amounts to be determined by this Court by further proceeding and a separate motion by Plaintiff;

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that this Court retains control of this cause for such orders as may be necessary to enforce and protect the rights of the parties hereto.

IT IS SO ORDERED on this 7 day of December, 2012.


HONORABLE KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE

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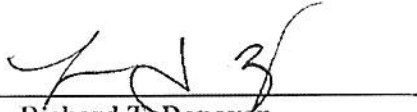
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