

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

TRIBUILT CONSTRUCTION GROUP, LLC PLAINTIFF

V. No. 2:10-CV-02052

INTERNATIONAL FIDELITY INSURANCE  
COMPANY DEFENDANT

ALAN M. HARRISON, GAYE P.  
HARRISON, JOSEPH E. MARRONE,  
STACY M. MARRONE, and SOUTHLAND  
ENTERPRISES, LLC THIRD-PARTY DEFENDANTS

**JUDGMENT AND ORDER**

For the reasons reflected in the Court's Opinion entered this same date, the Court VACATES its Order dated April 1, 2011 (Doc. 58) dismissing IFIC's claims with prejudice and REOPENS the instant matter. International Fidelity Insurance Company's ("IFIC") Motion to Set Aside Order of Dismissal and to Enforce Settlement Agreement (Doc. 59) is DENIED, however, to the extent that it requests enforcement of the settlement agreement.

IT IS FURTHER ORDERED that upon vacating its previous Order (Doc. 58) and reopening the instant matter, the Court finds that IFIC's Motion for Summary Judgment on the Counterclaim and Third-Party Complaint (Doc. 46) should be, and hereby is GRANTED.

Accordingly, it is HEREBY ADJUDGED that International Fidelity Insurance Company ("IFIC") shall have and recover from Tribuilt Construction Group, LLC, Alan M. Harrison, Gaye P. Harrison, Joseph E. Marrone, Stacy M. Marrone, and Southland Enterprises, LLC, jointly and severally, judgment in the amount of \$492,828.57, with

all parties to bear their own costs and fees. This judgment amount shall bear interest at the prevailing legal rate of 0.18% per annum from the date of entry of this order until paid. See 28 U.S.C. § 1961.

It is so ORDERED and ADJUDGED this 13th day of June 2011.

/s/ Paul K. Holmes, III  
**Paul K. Holmes, III**  
**United States District Judge**