

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

SOUTHSIDE BANK

PLAINTIFF

v. Case Nos. 4:08-CV-04125, 4:08-CV-04126

FEDERAL DEPOSIT INSURANCE CORPORATION,  
as Receiver for ANB Financial, N.A; and THE  
UNITED STATES OF AMERICA, ex rel the Federal  
Deposit Insurance Corporation, in its receiver capacity  
for ANB Financial, N.A.

DEFENDANTS

**JUDGMENT**

For the reasons set forth in the Memorandum Opinion and Order, filed contemporaneously herewith, Defendant FDIC-R's Motion for Summary Judgment (Doc. 29) is **GRANTED**; Defendant USA's Motion to Dismiss for Lack of Subject Matter Jurisdiction is likewise **GRANTED**; and Plaintiff's Complaint is **DISMISSED** as to all claims. Specifically, Plaintiff's claims for breach of contract, constructive trust, and violation of a federal regulation against Defendant FDIC-R are **DISMISSED WITH PREJUDICE**. Plaintiff's claims for conversion against both Defendant FDIC-R and Defendant USA are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

Plaintiff's Motions for Summary Judgment (Docs. 37 and 47) are both **DENIED**. Plaintiff's Motion for a Hearing (Doc. 62) is **DENIED AS MOOT**.

The parties are to bear their own costs and fees.

IT IS SO ORDERED AND ADJUDGED this 30th day of September, 2011.

*P. K. Holmes, III*

P.K. HOLMES, III  
UNITED STATES DISTRICT JUDGE