

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRANCH BANKING AND TRUST
COMPANY, a North Carolina banking
corporation, as successor-in-interest to
Colonial Bank by asset acquisition from
the FDIC as Receiver for Colonial Bank

Plaintiff,

v.

Case No: 2:13-cv-373-FtM-38CM

MICHAEL DUNN, DAVID D'AMORE,
PAMELA D'AMORE, CABOT L.
DUNN, JR. and LODGE
CONSTRUCTION INC.,

Defendants.

ORDER¹

This matter comes before the Court on Joint Stipulation for Entry of Final Judgment ([Doc. 62](#)) filed on May 29, 2014. Plaintiff Branch Banking and Trust Company and Defendants Michael Dunn, Cabot L. Dunn, Jr., and Lodge Construction Inc. have settled. (See [Doc. 57](#)). This case, however, still remains pending between Plaintiff Branch Banking and Trust Company and Defendants David D'Amore and Pamela D'Amore. (See [Doc. 57](#)). Upon review of the stipulation and having found no just cause for delay, the Court will enter judgment as it pertains to the settled parties.


Accordingly, it is now

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ORDERED:

1. Joint Stipulation for Entry of Final Judgment ([Doc. 62](#)) is **GRANTED in part**.
2. The Clerk is directed to enter Judgment in favor of Plaintiff Branch Banking and Trust Company and against Defendants Michael Dunn, Cabot L. Dunn, Jr., and Lodge Constructions, Inc. **ONLY**, jointly and severally, as to Counts I, II, VII, VIII, and IX of the Amended Complaint, ([Doc. 24](#)), for damages in the amount of \$3,606,605.99 as of May 29, 2014, together with additional per diem rate of interest of \$1,626.21 accruing from May 30, 2014 through the entry of the final judgment.
3. The Clerk is directed to terminate Defendants Michael Dunn, Cabot L. Dunn, Jr., and Lodge Construction, Inc. from this matter. All other parties remain.

DONE and **ORDERED** in Fort Myers, Florida this 2nd day of June, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record