

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRE MARINER MARCO TOWN
CENTER, LLC, a Delaware limited
liability company

Plaintiff,

v.

Case No: 2:15-cv-284-FtM-29CM

ZOOM TAN, INC.,

Defendant.

ORDER

This matter comes before the Court upon review of Agreed Motion to Dissolve Writ of Garnishment Directed to JP Morgan Chase Bank (Doc. 103) filed on May 11, 2017.

On October 27, 2016, the Court entered an *Ex Parte* Order granting Plaintiff's *Ex Parte* Application for Writ of Garnishment to JP Morgan Chase Bank. Doc. 91. A Writ of Garnishment issued on October 29, 2017. Doc. 92. On April 7, 2017, the parties filed a Joint Notice of Settlement informing the Court that they reached a settlement agreement. Doc. 101. The parties inform the Court that Defendant has made the agreed payment and Plaintiff has executed a satisfaction of judgment. Doc. 103 at 1. The parties jointly request that the Court issue an Order dissolving the Writ of Garnishment to JP Morgan Chase Bank. *Id.* Based on the parties' agreement, the motion is due to be granted.

In accordance with Fla. Stat. § 77.28, garnishee JP Morgan Chase Bank, requests Plaintiff to pay garnishee's partial attorney's fee of \$100.00. Doc. 96. Fla. Stat. § 77.28 provides, in part:

Upon issuance of any writ of garnishment, the party applying for it shall pay \$100 to the garnishee on the garnishee's demand at any time after the service of the writ for the payment or part payment of his or her attorney fee which the garnishee expends or agrees to expend in obtaining representation in response to the writ.

Id. To the extent Plaintiff has not already done so, it must comply with Fla. Stat. § 77.28.

ACCORDINGLY, it is hereby

ORDERED:

1. Agreed Motion to Dissolve Writ of Garnishment Directed to JP Morgan Chase Bank (Doc. 103) is **GRANTED**.

2. The Writ of Garnishment to JP Morgan Chase Bank is dissolved immediately.

3. To the extent Plaintiff has not already done so, it must comply with Fla. Stat. § 77.28 and pay \$100 to the garnishee. Payment shall be sent to 201 S. Biscayne Boulevard, Suite 1000, Miami, Florida 33131, and should include the title of the action and its corresponding case number.

DONE and **ORDERED** in Fort Myers, Florida on this 27th day of June, 2017.


CAROL MIRANDO
United States Magistrate Judge

Copies: Counsel of record