

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

PNC BANK, NATIONAL ASSOCIATION,

Plaintiff,

v.

Case No: 6:17-cv-1433-Orl-31DCI

**SUITE 208 HOLDINGS, LLC., RICHARD
POWELL, SR. , RICHARD POWELL,
JR., JOSEF POWELL and FRANTZ
ALPHONSE,**

Defendants.

ORDER

This cause comes before the Court on the Renewed Motion for Default Summary Judgment (Doc. 34), filed December 21, 2017.

On May 31, 2018, the United States Magistrate Judge issued a report (Doc. 40) recommending that the motion be granted in part. No objections have been filed. Therefore, it is

ORDERED as follows:

1. The Report and Recommendation is **CONFIRMED** and **ADOPTED** as part of this Order.
2. The Renewed Motion for Default Summary Judgment is **GRANTED IN PART** as follows:
 - A. Plaintiff is granted default judgment on Counts I – XII of the Complaint.
 - B. The Clerk is directed to enter judgment against Suite 208 Holdings, LLC, on Counts I and VII in the amount of \$174,664.42 plus interest in the amount of \$10,274.05.

- C. The Clerk is directed to enter judgment against the individual defendants, jointly and severally, on Counts II, III, IV, V, VIII, IX, X, XI of the Complaint in the amount of \$174,664.42, plus interest in the amount of \$10,274.05.
- D. By no later than July 6, 2018, Plaintiff shall file a proposed judgment of foreclosure as to Counts VI and XII that is consistent with the Report and Recommendation and a motion quantifying Plaintiff's reasonable attorney fees and costs.
- E. Plaintiff may bid its judgment at the sale of the Metrowest Property, subject to any liens with priority.
3. In all other respects, the motion (Doc. 34) is **DENIED**.

DONE and **ORDERED** in Chambers, Orlando, Florida on June 21, 2018.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party