

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DZ BANK AG DEUTSCHE ZENTRAL-
GENOSSENSCHAFTSBANK,
FRANKFURT AM MAIN, NEW YORK
BRANCH,

Plaintiff,

v.

CASE NO.: 8:10-cv-101-T-23AEP

LISSA M. PALMES,

Defendant.

ORDER

The plaintiff sues (Doc. 1) for breach of contract and claims damages in the amount of \$222,824.10, plus interest, attorney's fees, and costs. Although the plaintiff served the defendant on January 27, 2010, the defendant fails to respond. The Clerk defaults (Doc. 17) the defendant and the plaintiff moves (Doc. 10) for "summary judgment" pursuant to Rule 56, Federal Rules of Civil Procedure. Construing the plaintiff's motion as a motion for default judgment (pursuant to Rule 55(b)), the motion (Doc. 10) is **GRANTED**. The Clerk is directed to (1) enter judgment in favor of the plaintiff and against the defendant in the amount of **\$250,191.53**, which consists of \$222,824.10 in principle; \$25,252.03 in interest; \$1,675 in attorney's fees; and \$440.40 in costs; (2) terminate any pending motion; and (3) close the case.

ORDERED in Tampa, Florida, on April 19, 2010.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE