

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

REGIONS BANK, an Alabama
banking corporation,

Plaintiff,

v.

CASE NO. 8:12-CV-1837-T-17MAP

MARVIN I. KAPLAN, an individual,
et al.,

Defendants.

_____ /

ORDER

This cause is before the Court on:

Dkt. 848 Order
Dkt. 849 Final Judgment

This cause is before the Court sua sponte on the Court's prior Order (Dkt. 848) and the Final Judgment entered by the Clerk of Court (Dkt. 849).

The Court did not correctly calculate the amounts of prejudgment interest due to R1A Palms, LLC, Triple Net Exchange, LLC, MK Investing, LLC, and BNK Smith, LLC, in the prior Order. The Court has attached a schedule of the prejudgment interest due from the date of the Report and Recommendation until November 14, 2015 (Exhibit A). The Court expects that the Omnibus Final Judgment will be entered on November 15, 2017.

This order amends the Court's prior Order only to correct the amounts of prejudgment interest due to R1A Palms, LLC, Triple Net Exchange, LLC, MK Investing, LLC, and BNK Smith, LLC from Counterclaim/Crossclaim Defendants G. Todd Smith,

Case No. 8:12-CV-1837-T-17MAP

Gary T. Smith, Lucy B. Smith and Smith Advertising & Associates, Inc.

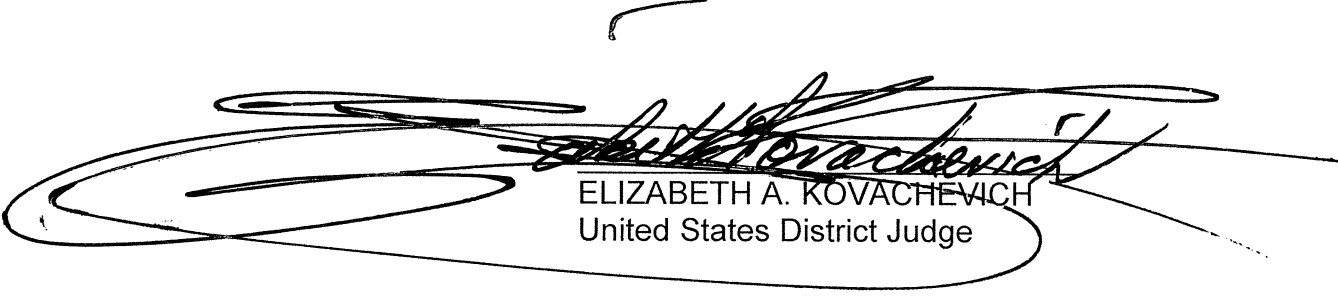
The following amounts of prejudgment interest will be included in the Omnibus Final Judgment:

R1A Palms, LLC	\$4,081,414.89
Triple Net Exchange, LLC	\$1,037,076.82
MK Investing, LLC	\$ 698,100.01
BNK Smith, LLC	\$ 270,001.35

The Court will vacate the prior Final Judgment (Dkt. 849), and include the corrected amounts of prejudgment interest in the Omnibus Final Judgment that will be entered. Accordingly, it is

ORDERED that the Court's prior Order (Dkt. 848) is **amended** to include the recalculated amounts of prejudgment interest due to R1A Palms, LLC, Triple Net Exchange, LLC, MK Investing, LLC and BNK Smith from G. Todd Smith, Gary T. Smith, Lucy B. Smith, and Smith Advertising & Associates, Inc. The Court has included additional prejudgment interest from November 8, 2017 to November 14, 2017. The Court **vacates** the prior Final Judgment (Dkt. 849) and will include the corrected amounts in the Omnibus Final Judgment to be entered.

DONE and ORDERED in Chambers in Tampa, Florida on this 15th day of November, 2017.



ELIZABETH A. KOVACHEVICH
United States District Judge

Copies to:
All parties and counsel of record