

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

NICKEY GREGORY COMPANY,
LLC,

Plaintiff,

v.

Case No. 8:15-cv-533-T-30MAP

HALL BROTHERS PRODUCE,
LLC, et al.,

Defendants /

ORDER

UPON CONSIDERATION of Plaintiff Nickey Gregory Company, LLC’s (“Nickey Gregory”) Motion for Default Judgment (Doc. No. 26), and the Memorandum, Exhibits, and Declarations (Doc. No. 27) submitted therewith, demonstrating that Defendants Hall Brothers Produce, LLC, A&R Produce, LLC, William T. Hall, Jr., and Allan E. Hall, Sr., failed to appear in this action, and the Order of the Secretary of Agriculture, and that Defendants William T. Hall, Jr. Allan E. Hall, Sr. are not infants, incompetent persons, or in the military service of the United States, it is hereby:

ORDERED, ADJUDGED, AND DECREED that Plaintiff Nickey Gregory Company, LLC’s Motion for Default Judgment (Doc. No. 26) is **GRANTED**, and it is further

ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Plaintiff and against Defendant Hall Brothers Produce, LLC, pursuant to Section 7(b) of the Perishable Agricultural Commodities Act (“PACA”), 7 U.S.C. § 499g(b), in the total amount

of \$310,063.67, which includes principal in the amount of \$301,749.51 plus interest at the rate of .17% per annum from September 1, 2014, through June 19, 2015, in the amount of \$433.03, plus \$500.00, plus \$7,381.13 in attorneys' fees to prosecute this matter; and it is further


ORDERED, ADJUDGED, and DECREED that judgment is entered in favor of Plaintiff and against Defendants A&R Produce, LLC, William T. Hall, and Allan E. Hall, Sr., pursuant to Section 5(c) of the PACA, 7 U.S.C. § 499e(c), in the total amount \$313,656.88, which includes principal of \$301,749.51, plus interest at the rate of 1.5% per annum of \$4,526.24, plus attorneys' fees of \$7,381.13 and it is further

ORDERED, ADJUDGED, and DECREED that Plaintiff's total recovery shall be limited to \$313,656.88.

The Clerk is directed to enter judgment in favor of Plaintiff and against Defendants.

All pending motions are denied as moot, and the Clerk is directed to close this case.

DONE and **ORDERED** in Tampa, Florida, this 25th day of June, 2015.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

S:\Odd\2015\15-cv-533 default jmt 26.docx