

UNITED STATES DISTRICT COURT  
 MIDDLE DISTRICT OF FLORIDA  
 TAMPA DIVISION  
 CASE NO.: 8:15-cv-01850-EAK-JSS

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 v. )  
 )  
 MARIAN M. BOYD, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

DEFAULT FINAL JUDGMENT

This matter having come before the Court upon Plaintiff, United States of America's Motion for Entry of Default Final Judgment against defendant, Marian M. Boyd, and the Court having reviewed the pleadings submitted on behalf of the Plaintiff, and having further noted the entry of default as to the Defendant for failure to answer or otherwise plead to the Summons and Complaint served by the plaintiff, and for good cause shown, it is hereby

ORDERED AND ADJUDGED that judgment is hereby entered in favor of Plaintiff, the United States of America, and against Defendant, Marian M. Boyd, upon the Complaint herein, and it is further

ORDERED AND ADJUDGED that Plaintiff recovers of the Defendant, Marian M. Boyd, the following sums of money through March 14, 2016 for all of which sums let execution issue:


Claim number	Interest rate	Principal	Interest	Total
2011A-44554	9.00%	\$2,923.47	\$8,034.53	\$10,958.00
Fee for Service				\$90.00
Attorney's Fees				\$940.00
Total				\$11,988.00

Supporting documentation for principal and interest is attached as Exhibit "B" and "C" to Plaintiff's Motion for Entry of Default Final Judgment. A Fee for Service and Travel is authorized pursuant to 28 U.S.C. §1921 of \$90.00, according to Exhibit "E". Attorney's fees of \$940.00 are itemized in Exhibit "D".

The Government is entitled to attorney's fees under the Higher Education Act of 1965, 20 U.S.C. §1071 et seq., (the "Act"). The Act provides that in addition to the terms of any promissory note, "a borrower who has defaulted on a [student] loan shall be required to pay . . . reasonable collection costs." 20 U.S.C. § 1091a(b)(1); United States v. Vilus, 419 F. Supp.2d 293, 296-97(E.D.N.Y. 2005). One of the statute's implementing regulations specifies that "[i]f a borrower defaults...the Secretary [i.e., the Government] assesses collection costs on the basis of 34 C.F.R. 30.60." 34 C.F.R. § 685.202(e)(2). In turn, 34 C.F.R. § 3060 provides that the Government "may charge a debtor for the costs associated with the collection of a particular debt [i.e., a defaulted student loan]. These costs include...[c]ourt costs and attorney fees." 34 C.F.R. § 30.60(a)(8) for all of which sums let execution issue. It is further

ORDERED AND ADJUDGED that this judgment shall bear interest at the rate as prescribed by 28 U.S.C. §1961, and shall be enforceable as prescribed by 28 U.S.C. § 2001, et seq., 28 U.S.C. § 3001-3307, and FR rule 69(a), Federal Rules of Civil Procedure. Plaintiff's address is: Becker & Poliakoff P.A., 121 Alhambra Plaza 10<sup>th</sup> Floor, Coral Gables, FL 33134 and U.S. Department of Education 50 Beale St., Suite 8601 San Francisco, CA 94105. Defendant's address is: 8902 West Lanway Drive, Tampa, Florida 33736.

DONE AND ORDERED in Chambers, in Tampa, FL, this 12<sup>th</sup> day of April, 2016.

  
ELIZABETH A. KOVACHEVICH  
UNITED STATES DISTRICT JUDGE

cc: Steven M. Davis, Esq. (Two Certified Copies)  
Marian M. Boyd, Pro Se