

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

**C.W. HENDRIX FARMS, INC., a Florida
corporation,**

Plaintiff,

v.

**J & R FRESH PRODUCE, LLC a Florida
limited liability company, and SHAHEED
ACKBAR, an individual,**

Defendants.

CIVIL ACTION

Case No.: 8:16-cv-00227-T-30JSS

STIPULATED FINAL JUDGMENT

THIS CAUSE is before the Court on the parties' Stipulation for Judgment (Dkt. 7). Having reviewed the Stipulation and being otherwise advised in the premises, the Court grants the Stipulation and orders the Clerk of Court to enter Judgment as follows:

1. In favor of C.W. Hendrix Farms, Inc., as a perfected trust beneficiary of J & R Fresh Produce, LLC under Section 5(c) of Perishable Agricultural Commodities Act (PACA), 7 U.S.C. §499e(c), and against J & R Fresh Produce, LLC, and Shaheed Ackbar, jointly and severally, in the amount of \$62,671.57, inclusive of attorneys' fees, costs, and interest, plus post-judgment interest pursuant to 28 U.S.C. § 1961, all of which qualifies for protection under PACA until satisfied, for which let execution issue.

It is further ORDERED that:

2. If Defendants are in Default, as defined under the terms of the parties' settlement agreement:

- a. Defendants, their customers, agents, officers, subsidiaries, assigns, banking institutions, and factors shall not alienate, dissipate, pay over or assign any assets of J & R Fresh Produce, LLC subject to the PACA trust, without the consent of C.W. Hendrix Farms, Inc., until further order of the Court or until Defendants pay the Default Amount, as defined in the settlement agreement, by cashier's check or certified check to C.W. Hendrix Farms, Inc.; and
- b. Defendants shall within five (5) business days of Default, turn over any and all funds realized from the sale of produce or products derived from produce, up to the Default Amount, to Meuers Law Firm, P.L., 5395 Park Central Court, Naples, FL 34109, attorneys for Plaintiff for distribution to Plaintiff; and
- c. Any and all funds belonging to J & R Fresh Produce, LLC in the possession of third parties, including all funds belonging to J & R Fresh Produce, LLC on deposit at banking institutions and/or all funds in the possession of J & R Fresh Produce, LLC's customers, up to the Default Amount, must promptly be paid to Meuers Law Firm, P.L., 5395 Park Central Court, Naples, FL 34109, attorneys for Plaintiff for distribution to Plaintiff; and
- d. Any and all funds, up to the Default Amount, owed to J & R Fresh Produce, LLC, for produce or produce related items, shall be paid directly to Meuers Law Firm, P.L., 5395 Park Central Court, Naples, FL 34109, attorneys for Plaintiff for distribution to Plaintiff; and

e. Defendants shall supply to Plaintiff's attorney, within five (5) days of the Default, any and all documents in connection with the assets and liabilities of J & R Fresh Produce, LLC and any related and subsidiary companies, including, but not limited to, the most recent balance sheets, profit/loss statements, accounts receivable reports, accounts payable reports, accounts paid records and income tax returns.

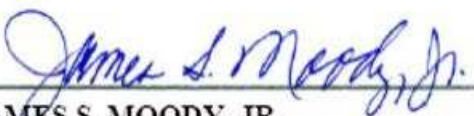
3. Upon Defendants' satisfaction of the payment obligations under the settlement agreement and this Judgment, Plaintiff shall file a Notice of Satisfaction of Judgment.

4. The Court shall retain jurisdiction of this action for a period of one year to ensure that the terms of this Judgment are satisfied.

5. Plaintiff shall serve a copy of this Judgment via U.S. Mail and e-mail to Defendants, and file a Certificate of Service thereafter.

6. The Clerk is directed to close this case and terminate any pending motions as moot.

DONE and ORDERED in Tampa, Florida on February 8, 2016.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record