

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FIRST HOME BANK,

Plaintiff,

v.

Case No. 8:17-cv-775-T-24 JSS

MOUNTAIN DESERT EMPIRE LLC
and TRAVIS WADE DUGGINS,

Defendants.

ORDER

This cause comes before the Court on Plaintiff's Motion for Default Judgment. (Doc. No. 14). As explained below, the motion is granted.

I. Background

Plaintiff alleges the following in its complaint, which is deemed admitted by Defendants (Doc. No. 1): On June 13, 2016, Plaintiff lent Defendant Mountain Desert Empire LLC ("Borrower") \$100,000, which is evidenced by a promissory note ("Note"). Defendant Travis Wade Duggins executed a Guaranty of Borrower's repayment of the \$100,000 Note.

Borrower failed to pay the January 1, 2017 installment payment due on the Note, and as a result, Plaintiff elected to accelerate all payments due and owing under the Note. Despite Plaintiff's demand for payment, Borrower has refused to pay the amounts due under the Note. The Note and Guaranty provide that Defendants are liable for Plaintiff's attorneys' fees and collection costs if they default on their obligations. As a result, Plaintiff filed suit against Defendants, asserting various claims, including a claim for repayment of the Note (Count I).

Defendants failed to respond to the complaint, and the Clerk entered default against them. Thereafter, Plaintiff filed the instant motion for default judgment.

II. Motion for Default Judgment

In the motion for default judgment, Plaintiff seeks the following amounts: outstanding principal of \$97,235.65; prejudgment interest of \$4,421.55 from December 1, 2016 through August 7, 2017, with interest continuing to accrue at \$18.65 per day; late fees of \$398.03; inspection expenses of \$490.00; attorneys' fees of \$4,300.00; and collection costs of \$1,124.91. The Court has reviewed the materials submitted in support of this motion (Doc. No. 15), as well as the entire record, and the Court finds that Plaintiff is entitled to the amounts being sought. The Court notes that the attorneys' fees being sought appear to be fair, reasonable, and necessary.

III. Conclusion

Accordingly, it is ORDERED AND ADJUDGED that Plaintiff's Motion for Default Judgment (Doc. No. 14) is **GRANTED**. The Clerk is directed to enter judgment for Plaintiff against Defendants on Count I for \$108,119.34. This amount consists of outstanding principal of \$97,235.65; prejudgment interest of \$4,570.75 from December 1, 2016 through August 15, 2017; late fees of \$398.03; inspection expenses of \$490.00; attorneys' fees of \$4,300.00; and collection costs of \$1,124.91.

DONE AND ORDERED at Tampa, Florida, this 15th day of August, 2017.


SUSAN C. BUCKLEW
United States District Judge

Copies to:
Counsel of Record