

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

STEPHEN BARDFIELD and
CHARLES CARVER,

Plaintiffs,

v.

Case No. 3:09cv232/MCR/MD

CHISHOLM PROPERTIES CIRCUIT
EVENTS, LLC and
JOHNNY CHISHOLM, individually.

Defendants.

ORDER

This case is before the court on defendants' emergency Motion to Modify Writ of Attachment. In their motion defendants ask the court to modify the writ of attachment entered June 3, 2009, by releasing the freeze on defendants' accounts as to Wachovia Bank, N.A., and Beach Community Bank because each of those two institutions, as well as another institution, First Data, have individually imposed freezes of \$200,000, for a total amount of \$600,000, rather than the aggregate amount stated in the writ of \$200,000.

Defendants' motion is denied. Although defendants complain that if all of the accounts are frozen they will have no way to pay certain expenses, defendants do not explain why they cannot simply place all of their proceeds into one operating account and use that account, over the frozen amount of \$200,000, to pay their obligations.

DONE AND ORDERED in chambers this 5th day of June, 2009.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**