

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 09-22830-CIV-MORENO

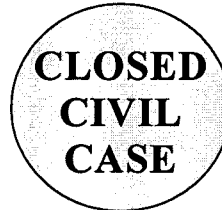
REGIONS BANK,

Plaintiff,

vs.

M/Y "STRAIT UP", its engines, tackle, etc., *in
rem*

Defendant.



AMENDED FINAL DEFAULT JUDGMENT AND ORDER OF SALE OF VESSEL

THIS CAUSE came before the Court upon Plaintiff's Motion for Default Judgment and for Bidding Credit (D.E. No. 12), filed on **December 16, 2009**. Upon review of the initial Default Judgment entered on **December 17, 2009** (D.E. No. 13), the Court recognized a scrivener's error in the spelling of the name of the vessel. This Order corrects that error and supercedes the December 17, 2009 Default Judgment.

THE COURT has considered the motion and the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the motion is GRANTED as follows:

- (1) Plaintiff, REGIONS BANK, shall recover from Defendant, M/Y "STRAIT UP", its engines, tackle, etc., the outstanding principal amount of loan as of December 10, 2009 in the amount of \$209,921.78; accrued interest in the amount of \$13,513.61; late fees in the amount of \$100.00; and costs paid to date, including: U.S. Marshal's deposit for arrest of vessel in the amount of \$2,500 and Clerk's filing fees in the amount of \$350.00 for a sum

total of \$226,385.39, for which sum let execution issue.

- (2) Interest shall accrue on this judgment pursuant to 28 U.S.C. §1961.
- (3) The United States Marshal for the Southern District of Florida is hereby authorized and directed to take all necessary steps to sell the vessel within the next forty five days with the U.S. Marshal's expenses being taxed as a cost against the proceeds of the sale. The U.S. Marshal shall advertise and conduct the sale in the normal course.
- (4) The substitute custodian shall be permitted to advertise the Defendant vessel for sale in maritime publications of general circulation and, if necessary, to obtain a vessel hull and machinery survey to show potential bidders prior to the sale date for purposes of generating interest in the vessel and increasing the amount that will be bid at auction, all to be taxed as costs of *custodia legis*.
- (5) Upon completion of the sale, the U.S. Marshal shall execute a Marshal's Bill of Sale to the successful bidder.
- (6) Plaintiff may bid in the amount of its judgment as cash at the sale to be conducted by the U.S. Marshal. Any amounts bid over and above the amount of this judgment by Plaintiff shall be paid as any other prospective bidder.

DONE AND ORDERED in Chambers at Miami, Florida, this 12th day of December, 2009.


FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to:
Counsel of Record