

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 11-23626-CIV-SEITZ/SIMONTON

WELLS FARGO ADVISORS, LLC,

Movant,

v.

JOSE A. LARREA,

Respondent.

ORDER CONFIRMING ARBITRATION AWARD

THIS MATTER is before the Court on the Movant's Motion to Confirm Arbitration Award and for Entry of Final Judgment [DE-1]. Movant obtained an arbitration award against Respondent Larrea on October 12, 2010, which was entered after Larrea defaulted on a Promissory Note. Pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*, Movant now seeks confirmation of that award and entry of a final judgment. Respondent was served, via the Secretary of State, on January 17, 2012 and has not appeared in this matter. Pursuant to 9 U.S.C. § 9, a court must confirm an arbitration award unless the award is vacated, modified, or corrected pursuant to 9 U.S.C. §§ 10 or 11. No grounds appear to exist to vacate, modify, or correct the award. Additionally, Larrea has not sought to vacate, modify, or correct the award. Finally, Movant seeks an award of attorneys' fees in an amount of 25% of the principal and accrued interest balance at the time of the initiation of the arbitration proceeding, as set out in the Promissory Note executed by Larrea. *See* DE-1-3. At the time the arbitration proceedings were commenced, the principal balance on the Promissory Note was \$411,361.38. *See* DE-1-6. Movant has not established the amount of interest that had accrued as of the date the arbitration proceedings commenced. Thus, Movant has established that it is entitled to attorneys' fees in the amount of \$102,840.34. Accordingly, it is hereby


ORDERED THAT

1) Movant's Motion to Confirm Arbitration Award and for Entry of Final Judgment [DE-1] is GRANTED. The arbitration award is hereby confirmed. The Court will enter a separate final judgment.

2) All motions not otherwise ruled upon are DENIED as moot.

3) This case is CLOSED.

DONE and ORDERED in Miami, Florida, this 9th day of May, 2012.



PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record