

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

*

Plaintiff,

*

*

vs.

CASE NO. 4:12-cv-72 (CDL)

*

MICHAEL A. EDDINGS, THE LAW
OFFICE OF MICHAEL A. EDDINGS,
P.C., and APEX TITLE, INC.,

*

*

Defendants.

*

O R D E R

Plaintiff brought claims against Defendants Michael A. Eddings, The Law Office of Michael A. Eddings, P.C., and Apex Title, Inc. (collectively, "Eddings Defendants") based on the Eddings Defendants' mishandling of trust account funds. The Eddings Defendants conducted two real estate closings for property sold by Plaintiff, and although the buyers wired funds into the Eddings Defendants' trust account and Plaintiff deeded the properties to the buyers, the Eddings Defendants never disbursed those funds to Fannie Mae.

The Court previously granted Plaintiff's motion for summary judgment as to Plaintiff's claims for money had and received, breach of fiduciary duty, conversion, and fraud. *Fed. Nat'l Mortg. Ass'n v. Eddings*, No. 4:12-cv-72 (CDL), 2013 WL 6494347 (M.D. Ga. Dec. 10, 2013). Based on these claims, the Court

concluded that the Eddings Defendants owe Plaintiff \$212,425.45 as a matter of law. *Id.* at *3. Plaintiff did not seek summary judgment on its remaining claims for attorneys' fees or punitive damages. Plaintiff has now abandoned these claims and moves for final judgment based on the Court's summary judgment Order. Pl.'s Mot. for Final J. 2, ECF No. 48.

Plaintiff recovered \$155,370.31 from the Eddings Defendants in a separate interpleader action. Order for Disbursement of Funds, ECF No. 209 in Case No. 4:11-CV-184 (MSH) (M.D. Ga. Aug. 14, 2013). Therefore, the Eddings Defendants now owe Plaintiff \$57,055.14. The Clerk is directed to enter final judgment in favor of Plaintiff and against the Eddings Defendants in the amount of \$57,055.14. Plaintiff shall also recover its costs as taxed by the Clerk.

IT IS SO ORDERED, this 23rd day of January, 2014.

S/Clay D. Land

CLAY D. LAND
UNITED STATES DISTRICT JUDGE