

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Eagle Hospital Physicians, LLC,

Plaintiff,

v.

SRG Consulting, Inc., et al.,

Defendants.

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CIVIL ACTION NO.
1:04-cv-01015-JOF

OPINION & ORDER

This matter is before the court on Plaintiff's motion for distribution of the remaining funds held in the registry of the court [270].

On February 25, 2008, the court entered default judgment in favor of Plaintiff and against Defendants in the amount of \$44,000. On March 27, 2008, the Clerk of the Court taxed costs against Defendants in the amount of \$10,693.15. Thus, the total amount of the award for the default judgment was \$54,693.15. This judgment was affirmed by the Eleventh Circuit. *See Eagle Hosp. Physicians, LLC v. SRG Consulting, Inc.*, 561 F.3d 1298 (11th Cir. 2009).

In an order dated January 13, 2009, the court awarded Plaintiff \$559,334 in attorney's fees. The Eleventh Circuit affirmed that order. *See Eagle Hosp. Physicians, LLC v. SRG*

Consulting, Inc., No. 09-10808 (11th Cir. Sept. 4, 2009). The court later awarded Plaintiff an additional \$18,386.50 in attorney's fees for successfully defending against Defendants' Rule 60(b)(1) motion. The Eleventh Circuit has affirmed this order as well.

During the course of this litigation, Eagle has deposited \$45,538.97 into the Registry of the Court. *See* Docket Entry [94] depositing \$39,858.97 and Docket Entry [239] depositing \$5,680. In an order dated August 31, 2009, the court directed that \$41,734.42 of that amount be disbursed to Plaintiff to satisfy in part Defendants' remaining financial obligations to Plaintiff.

In light of the Eleventh Circuit opinions affirming this court's orders on the default judgment and attorney's fees, Plaintiff now asks that the remaining \$3,804.55 be disbursed to Plaintiff. Defendants have filed no response to Plaintiff's motion and the court deems it unopposed. For good cause shown, the court GRANTS Plaintiff's motion for distribution of the remaining funds held in the registry of the court [270].

The Clerk of the Court is authorized and directed to draw a check on the remaining funds on deposit in the registry of this court in this matter, minus any statutory user's fees, payable to Eagle Hospital Physicians, LLC, and mail or deliver the check to Eagle's attorney of record, Stephen E. Hudson, Kilpatrick Stockton, LLP, 1100 Peachtree Street, N.E., Suite 2800, Atlanta, Georgia 30309.

IT IS SO ORDERED this 10th day of February 2010.

/s/ J. Owen Forrester
J. OWEN FORRESTER
SENIOR UNITED STATES DISTRICT JUDGE