

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 07-1282-MLB
)	
ROZANNE L. SCHNEIDER,)	
)	
Defendant.)	
)	

ORDER

Before the court is plaintiff's motion for summary judgment filed July 11, 2008 (Docs. 13 and 14). Also before the court is the pretrial order which describes the case as an action for money judgment on two guarantee agreements executed in favor of the Small Business Administration (Doc. 10). When defendant did not respond to plaintiff's motion for summary judgment, the court entered an order directing that defendant respond on or before September 12, 2008 and admonishing defendant that if a fully compliant response is not filed, plaintiff's motion will be heard and decided in accordance with this court's Rule 7.4 (Doc. 15). At all times, defendant has been represented by counsel.

The court has reviewed plaintiff's motion in accordance with Fed. R. Civ. P. 56(c). The undisputed facts show, inter alia, that defendant has failed to make payments in connection with a Guarantee Agreement which was assigned to the Small Business Administration on November 30, 1999. The undisputed facts further show that on July 2, 2002, the Small Business Administration made another loan of \$50,000 which also was personally guaranteed by defendant. Defendant has

failed to make payments on that loan, as well.

Accordingly, plaintiff's motion for summary judgment is sustained. Pursuant to Fed. R. Civ. P. 58, judgment is entered in favor of plaintiff and against defendant on Count I in the amount of \$266,981.81 in principal, \$152,874.71 in interest as of July 9, 2008 and daily interest accrual from and after July 9, 2008 of \$56.83 to the date of judgment and interest thereafter at the judgment rate and on Count II \$5,000 in principal, \$1,193.43 in interest and daily interest accrual from and after July 9, 2008 of \$.55 to date of judgment and interest thereafter at the judgment rate.

IT IS SO ORDERED.

Dated this 22nd day of September 2008, at Wichita, Kansas.

s/ Monti Belot

Monti L. Belot

UNITED STATES DISTRICT JUDGE