

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST OF LA
2009 SEP -2 P 3:08

ADVOCATE FINANCIAL, L.L.C.,

Plaintiff,

VERSUS

KENT MERCIER, and
MERCIER LAW OFFICES,

Defendants.

CIVIL ACTION 08-696
BY DEPUTY CLERK

NUMBER: 08-696

SECTION: PARKER

MAGISTRATE: DALBY

JUDGMENT

Considering the *Motion for Summary Judgment* and memorandum in support thereof filed by Plaintiff, Advocate Financial, L.L.C., (Rec. Doc. 107) and for the reasons stated in the Court's *Ruling* (Rec. Doc. 108) signed July 31, 2009,

Judgment is hereby rendered in favor Advocate Financial, L.L.C. and against Kent Mercier, individually, as follows:

- (a) rendering a money judgment in favor of Advocate and against Kent Mercier, in the amount of the principal balance due on the October 2006 Note,¹ namely, One Million One Hundred Seventeen Thousand and Nine 35/100 dollars (\$1,117,009.35);
- (b) plus interest on the October 2006 Note of Two Hundred Sixty-One Thousand One Hundred Forty-Two 58/100 dollars (\$261,142.58) as of July 31, 2009, with interest continuing to accrue;

¹ Capitalized terms not otherwise defined herein shall have the meaning assigned to them in the Complaint (Rec. Doc. 1).

- (c) recognizing Kent Mercier's breach of the Forbearance Agreement;
- (d) rendering a money judgment in favor of Advocate and against Kent Mercier, in the amount of the principal balance due on the Client Notes, namely, Eight Hundred and Six Thousand One Hundred Forty-Seven 63/100 dollars (\$806,147.63);
- (e) plus interest on the Client Notes of Four Hundred and Fifty-Four Thousand and Twelve 5/100 dollars (\$454,012.05) as of July 31, 2009, with interest continuing to accrue;
- (f) together with all costs of these proceedings plus attorneys' fees, with Advocate's right to seek recovery of any future attorneys' fees incurred in opposing an appeal of this judgment and in enforcement or collection efforts related to this judgment being reserved; and
- (g) recognizing Advocate's duly perfected security interest in Kent Mercier's: (1) future fees received; (2) right, title, and interest in and to any and all employment and retainer contracts; (3) right, title, and interest in and to any and all costs advanced to clients; (4) accounts receivable; (5) depository accounts; and (6) accounts.

And further considering the *Default Judgment* entered in favor of Advocate Financial, L.L.C. and against Mercier Law Offices, a Professional Law Corporation, on April 1, 2009, (Rec. Doc. 78),

Judgment is rendered in favor Advocate Financial, L.L.C. and against Mercier Law Offices, a Professional Law Corporation, as follows:

- (h) rendering a money judgment in favor of Advocate and against Mercier Law Offices, a Professional Law Corporation, in the amount of the principal balance due on the October 2006 Note, namely, One Million One Hundred Seventeen Thousand Nine and 35/100 Dollars (\$1,117,009.35);
- (i) plus accrued interest on the October 2006 Note of One Hundred Twenty-Four Thousand Five Hundred Twenty-Nine and 78/100 Dollars (\$124,529.78), as of October 17, 2008, with interest continuing to accrue;
- (j) rendering a money judgment in favor of Advocate and against Mercier Law Offices, a Professional Law Corporation, in the amount of the principal balance due on the Client Notes, namely, Eight Hundred Six Thousand One Hundred Forty-Seven and 63/100 Dollars (\$806,147.63);
- (k) plus accrued interest of Three Hundred Sixty-One Thousand Seven Hundred Sixty-Four and 04/100 Dollars (\$361,764.04), as of October 17, 2008, with interest continuing to accrue;
- (l) together with all costs of these proceedings plus attorneys' fees, with Advocate's right to seek recovery of any future attorneys' fees incurred in opposing an appeal of this judgment and in enforcement or collection efforts related to this judgment being reserved;
- (m) recognizing Mercier Law Offices, a Professional Law Corporation's breach of the Forbearance Agreement;

(n) recognizing Advocate's duly perfected security interest in Mercier Law Offices, a Professional Law Corporation's (1) future fees received; (2) right, title, and interest in and to any and all employment and retainer contracts; (3) right, title, and interest in and to any and all costs advanced to the Firm's clients; (4) accounts receivable; (5) depository accounts; (6) accounts; (7) attorneys' fees; (8) reimbursement of litigation costs and expenses advanced and incurred by the Firm on a client's behalf; (9) reimbursements of living expenses advanced or funded by the Firm to a client or on a client's behalf; and (10) Income and Proceeds in connection with the Firm's legal representation of any and all past, present, and future clients, whether due or to become due in the future.

BATON ROUGE, LOUISIANA, THIS
2ND DAY OF SEPTEMBER, 2009.

UNITED STATES DISTRICT JUDGE

JAMES J. BRADY