

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

REGIONS BANK

PLAINTIFF

VS.

CIVIL ACTION NO. 4:09CV32TSL-LRA

IRA S. HERRINGTON

DEFENDANT

ORDER

It is hereby ordered that the default judgment entered this date is vacated, the same having been entered inadvertently. It is further ordered that counsel for plaintiff Regions Bank shall provide notice to defendant Ira S. Herrington and his counsel in the underlying state litigation of its motion for default judgment. Although defendant has not yet entered an appearance in this proceeding, counsel for Regions Bank (which did provide notice to defendant of the motion to compel arbitration) is aware that Herrington is represented and under the circumstances of this case, may fairly be required to provide such notice prior to this court's consideration of its motion for default judgment.

SO ORDERED this 7<sup>th</sup> the day of April, 2009.

/s/ Tom S. Lee  
UNITED STATES DISTRICT JUDGE