SunTrust Bank v. Den-Mark Construction, Inc. Doc. 29

AO 450 (Rev. 5/85)

United States District Court

EASTERN DISTRICT OF NORTH CAROLINA

SUNTRUST BANK,
Plaintiff,

v.

DEN-MARK CONSTRUCTION, INC.
Defendant.

JUDGMENT IN A CIVIL CASE
CASE NO. 5:08-CV-529-F

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

__X__ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the bankruptcy court's order dated August 6, 2008 is VACATED and SunTrust is restored to its pre-petition status in all respects except as to the sum of funds advanced by Capital Bank (and interest accruing thereon) *prior to* this court's November 19, 2008 oral order allowing SunTrust's Motion to Stay pending appeal. 11 U.S.C. section 364(e). The parties shall bear their own costs.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **April 7, 2009**, AND A COPY MAILED VIA ELECTRONICALLY OR BY REGULAR MAIL TO:

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April 7, 2009
Date

DENNIS P. IAVARONE
Clerk of Court

/s/ Susan K. Edwards

Wilmington, North Carolina

(By) Deputy Clerk

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