

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

RETIREMENT COMMITTEE OF DAK )  
AMERICAS, LLC, as Plan Administrator of )  
the DAK Americas LLC Pension Plan and )  
TRANSAMERICA RETIREMENT SOLUTIONS )  
CORPORATION, )

Plaintiffs, )

v. )

RODNEY B. SMITH; OTELLA IRENE WEBB; )  
JEROME BRYANT; MARK STEPHEN )  
BREWER; JOSEPH ALEXANDER BELLAMY; )  
WARREN ALBERT GARRISON; JIMMIE RAY )  
SELLERS; KELVIN L. GALLOWAY; )  
MENDELL W. SMITH; DAVID W. ALLEN; )  
SIDNEY HUGH RHODES; MICHAEL LYNN )  
BASS; JAMES F. HOLLAND; WILLIAM )  
LACEY NELSON; and HAROLD E. CORBETT, )

Defendants. )

**AMENDED JUDGMENT**  
No. 7:14-CV-36-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge.

**IT IS ORDERED, ADJUDGED AND DECREED,** in accordance with the court’s orders entered September 29, 2015 and May 9, 2016, and for the reasons set forth more specifically therein, that:

- Plaintiffs’ first motion for summary judgment is granted in part and denied in part as moot;
- Plaintiffs’ second motion for summary judgment is granted;
- Defendants’ motions for summary judgment are denied;
- Plaintiffs’ motion to amend judgment is granted in part and denied in part;
- Defendants’ request for certain post-judgment relief, construed as a motion, is denied;
- Plaintiffs’ motion for attorney’s fees is denied; and,
- Plaintiffs’ motion for costs and defendants’ motion for disallowance of costs are granted in part and denied in part.

Accordingly, the following defendants must pay to **the DAK Americas LLC** the amended judgment amounts specified below, which include prejudgment interest. Postjudgment interest is due on such amounts, per 28 U.S.C. § 1961(a), from the date of the original judgment, September 29, 2015, to the date of satisfaction of the judgment.

<b>Defendant</b>	<b>Amended Judgment Amount</b>
Mark Stephen Brewer	\$171,546.71
Harold E. Corbett	\$99,821.83
Warren Albert Garrison	\$217,102.70
James F. Holland	\$158,031.96
William Lacey Nelson	\$59,269.76
Sidney Hughes Rhodes	\$194,281.26
Jimmie Ray Sellers	\$143,226.47
Rodney B. Smith	\$192,359.25
<b>Total</b>	<b>\$1,235,642.43</b>

Furthermore, where the court allows in part plaintiffs' request for costs, costs are TAXED according to the following table:

<b>Defendant</b>	<b>Costs Taxed</b>
David W. Allen	\$258.08
Michael Lynn Bass	\$1083.09
Joseph Alexander Bellamy	\$558.08
Jerome Bryant	\$258.09
Kelvin L. Galloway	\$258.09
Mendell W. Smith	\$258.08
Otella Irene Webb	\$258.09
Mark Stephen Brewer	\$558.08
Harold E. Corbett	\$258.09

Warren Albert Garrison	\$258.08
James F. Holland	\$258.08
William Lacey Nelson	\$258.09
Sidney Hugh Rhodes	\$558.08
Jimmie Ray Sellers	\$258.09
Rodney B. Smith	\$258.09
<b>Total</b>	<b>\$5,596.28</b>

**This Judgment Filed and Entered on May 9, 2016, and Copies To:**

Marianne Hogan; Sarah Dees Miranda; William J. Delany; James Scott Flowers; William Cory Reiss; H. Mitchell Baker, III; Michael L. Miller; Thomas S. Babel; H. Scott Overholt; and Michael S. Davenport (via CM/ECF Notice of Electronic Filing)

May 9, 2016

JULIE RICHARDS JOHNSTON, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk