## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CIVIL CASE NO. 1:15-cv-00248-MR-DSC

TD BANK, N.A.,	)
Plaintiff,	<i>)</i> )
VS.	) <u>JUDGMENT</u>
CARLAND TRACTOR AND EQUIP., INC., ANTHONY E. CARLAND, MAX LOWE CARLAND JR., and ELLEN C. CARLAND,	) ) ) )
Defendants.	) ) )

For the reasons stated in the Memorandum of Decision and Order entered contemporaneously herewith, IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's motion for summary judgment as to the counterclaims asserted by Defendants Max Lowe Carland Jr., and Ellen C. Carland is GRANTED and said Defendants' counterclaims are hereby DISMISSED WITH PREJUDICE; the Plaintiff's motion for summary judgment as to its claims asserted against Defendants Max Lowe Carland Jr., and Ellen C. Carland is hereby GRANTED; and JUDGMENT is hereby entered against the Defendants Max Carland and Ellen Carland jointly and severally and in favor of the Plaintiff in the amount

of \$249,628.29 (\$215,977.52 + \$33,650.77) plus attorneys' fees of \$30,036.94. The costs of this action are taxed against the Defendants.

Signed: March 10, 2017

Martin Reidinger

United States District Judge