

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14-CV-00155-KDB-DCK**

**SWAN RACING COMPANY,
LLC,**

Plaintiffs,

v.

**XXXTREME MOTORSPORT,
LLC
JOHNATHAN COHEN,**

Defendants.

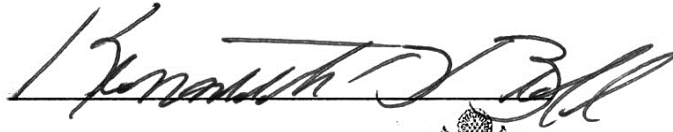
ORDER

THIS MATTER is before the Court on Plaintiff's Motion for an Order of Final Execution in this matter. (Doc. No. 87). The Defendant has been served a copy of the Judgment and the Notice of Right to have exemptions designated and to set aside exempt property. (Doc. No. 86). The Defendant has failed to file a request to set aside exempt property. Furthermore, the Defendant has failed to request a hearing to set aside exempt property or otherwise respond within the time allowed. The Court therefore finds that the Defendant has had a reasonable opportunity to assert the exemptions provided by law and that the Defendant's failure to respond should be considered a waiver of his right to have property set aside as exempt from the execution of the Judgment in this case.

IT IS THEREFORE ORDERED that Defendant is precluded from having any of his property set aside as exempt from Judgment in this case and that a final execution be issued by the Clerk of this Court for the collection of the Judgment.

SO ORDERED

Signed: November 4,

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

