

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:17-CV-00098-KDB-DSC**

THOMAS M. CARUTHERS JR.,)
)
 Plaintiff,)
)
 v.)
)
 VITEX, INC.,)
)
 Defendant.)
)

ORDER

THIS MATTER is before the Court on the Plaintiff’s Motion for Entry of Judgment (Doc. No. 29). The Court has carefully reviewed the motion and been advised by the Defendant that “given the Court’s summary judgment rulings and the subsequent stipulations, the defendant agrees that the case is ready for entry of judgment.” However, the Defendant seeks to reserve the right to oppose any bill of costs once such is filed.

Accordingly, the Court will **GRANT** Plaintiff’s motion (Doc. No. 29) and enter the following:


ORDER and JUDGMENT

NOW THEREFORE IT IS ORDERED THAT:

Judgment is hereby entered in favor of Plaintiff Thomas Caruthers, Jr. and against Defendant Vitex, Inc. for breach of contract. Plaintiff is awarded damages in the principal amount of \$141,666.00 plus prejudgment interest (8% per annum from June 22, 2016 until November 4, 2019) of \$38,191.60 for a total Judgment amount of \$179,857.60. The costs of this action shall be taxed against Defendant, without prejudice to Defendant’s right to timely challenge the amount of such costs upon application by Plaintiff.

SO ORDERED ADJUDGED AND DECREED.

Signed: November 4, 2019

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

Kenneth D. Bell
United States District Judge

