

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GMAC MORTGAGE LLC
f/k/a GMAC MORTGAGE CORPORATION,

Plaintiff,

v.

SOUTHPORT BANK,

Defendant.

CIVIL ACTION

No. 13-4950

ORDER

AND NOW, this 9th day of April, 2015, upon consideration of the parties'

Cross-Motions for Summary Judgment, and the Responses, Replies, and Supplemental Briefing

thereto, it is hereby ORDERED that:

- 1. Southport Bank's Motion for Summary Judgment (Doc. No. 37) is DENIED;
2. GMAC Mortgage LLC's Motion for Summary Judgment (Doc. No. 39) is GRANTED; and
3. According to the terms of the Correspondent Agreement, GMAC Mortgage LLC, as the prevailing party, is entitled to its costs, plus reasonable attorneys' fees and costs incurred in this action. (See Agreement ¶ 11.) Consequently, Southport's counterclaim for attorneys' fees and costs is DISMISSED. GMAC Mortgage LLC shall file documentation supporting its request for costs and attorneys' fees on or before April 23, 2015, and Southport Bank shall file any response thereto on or before May 7, 2015.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE