

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Branch Banking and Trust Company,	)	
	)	Case No. 3:17-cv-02036-DCC
Plaintiff,	)	
	)	
v.	)	<b><u>OPINION AND ORDER</u></b>
	)	
Fariborz Z. Babaee,	)	
	)	
Defendants.	)	
_____	)	

On May 2, 2018, the Court granted Plaintiff’s Motion for Summary Judgment.<sup>1</sup> ECF No. 18. In its Order granting Plaintiff’s Motion, the Court directed Plaintiff to file an updated affidavit that includes an itemized list of damages as of May 2, 2018. *Id.* at 3. On May 3, 2018, Plaintiff filed the Supplemental Affidavit of Trisha Wixson, Plaintiff’s Asset Manager, Assistant Vice President responsible for the administration or oversight of loans in the recovery area of Plaintiff’s Asset Recovery Group. ECF No. 20. Ms. Wixson’s Supplemental Affidavit indicates that the total due on the Note as of May 2, 2018, was \$254,936.96 with a per diem increase of \$46.17.<sup>2</sup> Based on these numbers, the Court determines that the amount due as of the date of this Order is \$258,215.03. The Court arrives at this calculation by multiplying the per diem by the seventy-one days that have elapsed since May 2, 2018, and adding this number to the amount due as of May 2, 2018. Therefore, the amounts due as of July 12, 2018 are as follows:

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<sup>1</sup>Defendant is represented by counsel in this case but failed to respond to Plaintiff’s Motion for Summary Judgment.

<sup>2</sup>The Per Diem is based on the Default Rate of 9.75%, which is the sum of the BB&T Prime Rate of 4.75% plus 5%.

Principal	\$170,475.57
Interest through 8/8/2014	\$2,480.72
Late charges and other fees	\$1,035.18
Attorneys' Fees	\$25,943.44
Additional interest at default rate through July 12, 2018	\$58,280.12
Total Due	\$258,215.03

Accordingly, the Court enters judgment for Plaintiff in the amount of \$258,215.03.

**IT IS SO ORDERED.**

s/Donald C. Coggins, Jr.  
United States District Judge

July 12, 2018  
Spartanburg, South Carolina