
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

TFG-KENTUCKY, L.P., a Utah limited partnership,

Plaintiff,

vs.

IKERD MINING, LLC, a Kentucky limited liability company, FRANK IKERD, III, an individual, and CHESTER ADAMSON, an individual,

Defendants.

**MEMORANDUM DECISION AND
ORDER GRANTING MOTION FOR
SUBSTITUTION OF PARTIES AND
AMENDMENT OF DEFAULT
JUDGMENT**

Case No. 2:12-cv-00929

District Judge David Nuffer

Plaintiff Assignee Republic Bank, Inc. ("Republic Bank") filed a Motion and Supporting Memorandum for Substitution of Parties and Amendment of Default Judgment (the "Motion").¹ Effective April 9, 2014, TFG assigned to Republic Bank all of its rights and interest in the Default Judgment entered against Ikerd Mining, LLC and Frank Ikerd, III.²

Pursuant to [Fed.R.Civ.P. 25\(c\)](#), Republic Bank moves to be substituted as a party in place of TFG-Kentucky, L.P. ("TFG"). Rule 25(c) states:

Transfer of Interest. If an interest is transferred, the action may be continued by or against the original party unless the court, on motion, orders the transferee to be substituted in the action or joined with the original party. The motion must be served as provided in Rule 25(a)(3).³

¹ [Docket no. 46](#), filed April 28, 2014.

² [Docket no. 38](#), entered November 1, 2013.

³ [Fed.R.Civ.P. 25\(c\)](#).

Based upon the filings of Republic Bank in support of the Motion, the requirements of service under Rule 25(a)(3) have been met. No opposition to the Motion has been filed.

ORDER

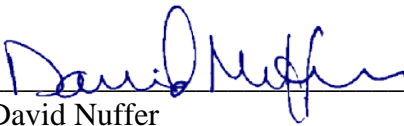
Based upon the foregoing,

IT IS HEREBY ORDERED that Republic Bank's Motion for Substitution of Parties and Amendment of Default Judgment is GRANTED.

IT IS FURTHER ORDERED that the Clerk is directed to make the necessary changes to the Default Judgment and all future pleadings are to reflect the substitutions.

Dated June 11, 2014.

BY THE COURT:



David Nuffer
United States District Judge