

IN THE CIRCUIT COURT IN AND FOR OKALOOSA COUNTY, FLORIDA

FIRST NATIONAL BANK AND TRUST,

Plaintiff,

v.

CASE NO. 08-CA-2885 (Remington)2

CHAIM HERSHKOWITS,
MICHELLE HERSHKOWITS, and
RUPERT E. PHILLIPS

Defendants.

FINAL JUDGMENT AGAINST RUPERT E. PHILLIPS

THIS CAUSE having come before the Court upon the Motion for Summary Judgment and Taxation of Attorney Fees and Costs of the Plaintiff, **FIRST NATIONAL BANK & TRUST**, against defendant **RUPERT E. PHILLIPS**, and the Court having considered the pleadings, affidavits and exhibits offered in support of Plaintiff's complaint and said Motion For Summary Judgment, and the Court being otherwise fully advised in the premises, it is:

ORDERED and ADJUDGED as follows:

1. Plaintiff's Motion for Summary Judgment shall be and is hereby GRANTED,
2. Plaintiff is entitled to and shall recover from the Defendant, **RUPERT E. PHILLIPS** the

following:

Principal due on the note	\$474,047.25
Interest Accrued as of August 18, 2008	\$26,261.32
Interest Accrued August 19, 2008 - October 30, 2008 at \$237.41 per diem (72 days)	\$17,093.52
Late Charges	\$1,329.22
Costs of Suit (see Affidavit as to Costs)	\$495.00
Attorney's Fees (See Attorney's Fee Affidavit)	\$1,800.00
TOTAL DUE:	\$521,026.31

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for a total of \$521,026.31, for which let execution Issue,

3. This Judgment shall bear interest at the rate of 11% (as of 2008) per annum as authorized in Section 55.03(1), Fla. Stat., for all of which let execution Issue.

4. For the purposes of Section 55.10(1), Florida Statutes, Plaintiff's address is 29 North Eglin Parkway, Fort Walton Beach, Okaloosa County, Florida 32548.

5. That the judgment debtors shall complete under oath Florida Rules of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments, and serve it on the judgment creditor's attorney within forty-five (45) days from the date of this Final Judgment, unless the final judgment is satisfied or post-judgment discovery is stayed,

6. Jurisdiction of this case is retained to enter further orders that are necessary to compel the judgment debtor to complete Form 1.977, including all required attachments, and serve it on the judgment creditor's attorney.

7. This Order shall not bar the Plaintiff's right to foreclose its mortgage and collateral secured thereby.

8. The Clerk is hereby ordered to keep the above styled case open as there are other Defendants to this action.

DONE AND ORDERED in Chambers at the Okaloosa County Courthouse Annex at Shalimar, Florida this 31st day of October, 2008.

Thomas T. Remington
Thomas T. Remington, Circuit Judge

Conformed Copies to:

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AND CORRECT COPY

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BY *Beah M. DeMadd*

DATE *11-24-08*



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