

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:08-cv-601-BO

North American Savings Bank, F.S.B.,)
Plaintiff,)

v.)

Melvin L. Henderson, Lavetta B. Henderson,))
Henderson Holdings Company, LLC, Leroy)
Roberts, Jr., Jacqueline M. Roberts, Paul)
A. Vieta, Ingram Walters, Erin Walters,)
Defendants.)

Ingram Walters and Erin Walters,)
Third-Party Plaintiffs,)

v.)

Todd Brockman, Tara Sherbert, The Capitol)
Building, LLC, Capitol Entertainment, LLC,))
and Community Commercial)
Development, LLC,)
Third-Party Defendants.)

**FINAL
JUDGMENT**

Decision by Court. This action came before the Honorable Terrence W. Boyle, United States District Judge, for the consideration of the parties' motions and cross motions.

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for Summary Judgment against Defendants Melvin L. Henderson, Lavetta Henderson and Henderson Holdings Company, LLC is GRANTED. Plaintiff's Motion for Summary Judgment against Defendants' Ingram Walters and Erin Walters is GRANTED, and Defendants Ingram and Erin Walters' counterclaims against Plaintiff are DISMISSED. Third-Party Defendant Todd Brockman's Motion for Summary Judgment is GRANTED, and Third-Party Defendant Tara Sherbert's Motion for Summary Judgment is GRANTED. Plaintiff and Defendant Paul A. Vieta filed a Stipulation of Dismissal With Prejudice of Plaintiff's claims against Paul A Vieta. Plaintiff and Defendants Leroy Roberts, Jr. and Jacqueline M. Roberts filed a Stipulation of Dismissal With Prejudice of Plaintiff's claims against Leroy Roberts, Jr. and Jacqueline M. Roberts. A Mutual Voluntary Dismissal of ALL Crossclaims and Certain Third-Party Claims was also filed dismissing without prejudice Counts 7 and 8 asserted by Ingram and Erin Walters in their Third-Party Complaint and dismissing without prejudice all crossclaims asserted by any Defendants against each other.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff is entitled to a

monetary award in the amount of \$4,372,855.48 plus post-judgment interest from October 15, 2010, until the judgment is satisfied in full, against Defendants Melvin Henderson, Lavetta Henderson, Henderson Holdings Company, LLC, Ingram Walters and Erin Walters.

This Judgment Filed and Entered on February 23, 2011, and Copies To:

Anitra G. Royster/Matthew P. McGuire (via CM/ECF electronic notification)

Christopher T. Graebe/Mark R. Sigmon (via CM/ECF electronic notification)

David E. Fox (via CM/ECF electronic notification)

Megan F. Sadler/Pamela S. Duffy (via CM/ECF electronic notification)

Cynthia L. Van Horne/James D. Bishop (via CM/ECF electronic notification)

James N. Rodgers (via CM/ECF electronic notification)

February 23, 2011

/s/ Dennis P. Iavarone,
Clerk of Court