UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

POSER INVESTMENTS, INC.,

Plaintiff,

v. Case No: 6:13-mc-18-Orl-36TBS

RAVIN HOTELS & INVESTMENTS, LLC, GIRDHARI SANKAR and JEYASELVAN KANAGASABAPATHY,

Defendants.

CHARGING ORDER

Plaintiff Poser Investments, Inc. ("Poser"), previously filed its Judgment Creditor's Renewed Verified Motion for Charging Order Against Sun Hospitality Inn, LLC; JLM Hotels LLC d/b/a/ Sun Inn and Suites; JL Hospitality Management, LLC; and JL Hotel Management, LLC (Doc. 9). Upon review, the Court granted the motion in part, denying it only as to JLM Hotels, L.L.C. d/b/a Sun Inn and Suites ("JLM") (Doc. 10). Now pending before the Court are Poser's Judgment Creditor's Second Renewed Verified Motion for Charging Order Against JLM Hotels, L.L.C., d/b/a Sun Inn and Suites (Doc. 29), and Judgment Creditor's Notice of Filing Supplemental Authority in Support of Second Renewed Verified Motion for Charging Order Against JLM Hotels, L.L.C., d/b/a Sun Inn and Suites (Doc. 37). The Court has reviewed the renewed motion and supplemental authority and finds that the motion is due to be granted.

I. Background

On December 19, 2012, the United States District Court for the District of New Jersey entered an Order & Judgment in favor of Plaintiff Travelodge Hotels, Inc. and

against Defendants Girdhari Sankar and Jeyaselvan Kanagasabapathy ("Kanagasabapathy"), jointly and severally, in the amount of $457,601.14 (Doc. 1 at 2). On February 21, 2013, Travelodge registered the judgment here (Doc. 1). Subsequently, Poser, as assignee of the judgment, was substituted in the place of Travelodge Hotels, Inc. (Docs. 5, 6). The Order & Judgment and Assignment of Judgment were recorded in the Official Records of Duval County, Florida and the Official Records of Osceola County, Florida, and a judgment lien certificate has been filed with the Florida Department of State. According to Poser, the judgment remains uncollected and unsatisfied (Doc. 9 at 2).

II. Discussion

Poser sought the issuance of a charging order against the interest of Kanagasabapathy in JLM (Doc. 9). For the reasons stated in its Order, the Court denied Poser's motion without prejudice, with leave to renew, upon the presentation of additional evidence (Doc. 10). Now, Poser has submitted a partial transcript of Kanagasabapathy's May 15, 2018 deposition testimony in which he states that he is the managing member of JLM (Doc. 37-1 at 9). Under Florida law:

> (1) On application to a court of competent jurisdiction by a judgment creditor of a member or a transferee, the court may enter a charging order against the transferable interest of the member or transferee for payment of the unsatisfied amount of the judgment with interest. Except as provided in subsection (5), a charging order constitutes a lien upon a judgment debtor's transferable interest and requires the limited liability company to pay over to the judgment creditor a distribution that would otherwise be paid to the judgment debtor.

FLA. STAT. § 605.0503(1) (2014). As the managing member, Kanagasabapathy's transferable interest (if any) in JLM is subject to a charging order. Accordingly, Poser's

motion (Doc. 29), is **GRANTED**. Kanagasabapathy's transferable interest (if any) in JLM is ordered to pay to Poser the present and future shares of any and all distributions due to Kanagasabapathy, until the judgment is satisfied in full. **This Charging Order is effective upon the date of entry**.

DONE and **ORDERED** in Orlando, Florida on June 8, 2018.



THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties