

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

THE HANSON GROUP, LLC, a  
Georgia limited liability company

Plaintiff,

v.

Case No: 2:17-cv-226-FtM-38CM

TOTAL CONTAINMENT  
SOLUTIONS, INC.,

Defendant.

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**ORDER**

This matter comes before the Court upon review of Plaintiff's *Ex-Parte* Motion for Writ of Garnishment After Judgment (Doc. 19) filed on March 19, 2018. On August 23, 2017, the Court granted Plaintiff's Motion for Default Judgment. Doc. 17. On August 24, 2017, the Clerk entered judgment in favor of Plaintiff and against Defendant: (a) in the amount of \$637,864.74, plus continuing interest at the per diem rate of \$225.12 from August 1, 2017 through the date of entry of judgment; (b) Attorney's fees in the amount of \$7,041.00; and (c) Costs in the amount of \$595.00 for which sum let execution issue. Doc. 18. Plaintiff states that as of this date, the entire Judgment remains unsatisfied. Doc. 19 at 1. Plaintiff believes Garnishee Finemark National Bank & Trust is indebted to Defendant or has Defendant's tangible or intangible property in its possession or control. *Id.* at 2.

Pursuant to Federal Rule 69, enforcement of a judgment shall be through writ of execution unless the court directs otherwise. The court may order other remedies

that accord with the procedure of the state where the court is located. Fed. R. Civ. P. 69(a)(1). Florida law provides for the remedy of garnishment pursuant to Fla. Stat. § 77.01 *et seq.* Under the applicable Florida statute, notice is provided to a defendant after service of the writ of garnishment. Accordingly, Plaintiff filed the instant motion *ex parte* in order to prevent Defendant from receiving notice of the writ of garnishment prior to its issuance to avoid the subject funds being moved. Here, Judgment has been entered against Defendant, and the Court finds good cause to grant the motion. Plaintiff must continue to follow all provisions, including notice requirements.

ACCORDINGLY, it is hereby

**ORDERED:**

Plaintiff's *Ex-Parte* Motion for Writ of Garnishment After Judgment (Doc. 19) is **GRANTED**. The Clerk is directed to issue the writ of garnishment submitted with the motion (Doc. 19-2).

**DONE** and **ORDERED** in Fort Myers, Florida on this 20th day of March, 2018.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record