

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CENTENNIAL BANK,

Plaintiff,

v.

Case No: 8:17-cv-01721-T-27JSS

**BAKERFIELD CUSTOM HOMES
CORP., et al.,**

Defendants.

/

ORDER

BEFORE THE COURT is Plaintiff Centennial Bank's Amended Motion for Summary Judgment on Amended Verified Complaint and Against the Counterclaim of Total Design Source (Dkt. 218). No Defendant has responded to Plaintiff's motion and the time in which to do so has expired.¹ Based on Plaintiff's motion and the exhibits on which it relies, "there is no genuine issue as to any material fact." Fed. R. Civ. P. 56(a). Plaintiff Centennial Bank is therefore entitled to a

¹ A majority of Defendants in this action have received a Clerk's default or have been voluntarily dismissed: Whitney Bank (Stipulation of Dismissal, Dkt. 84, August 24, 2017); Unique Brick Pavers, Inc. (Clerk's Default, Dkt. 98, August 29, 2017); Natural Springs Pools, Inc. (Clerk's Default, Dkt. 99, August 29, 2017); Ferguson Enterprises, Inc. (Clerk's Default, Dkt. 100, August 29, 2017); Foam by Design, Inc. (Clerk's Default, Dkt. 101, August 29, 2017); CKB Development LLC. (Clerk's Default, Dkt. 102, August 29, 2017); Alpha Environmental Managementcorp, LLC (Clerk's Default, Dkt. 103, August 29, 2017); McElderry Drywall, Inc. (Voluntary Dismissal, Dkt. 154, December 19, 2017); Chetan Kahmare & Amber D. Simpson (Clerk's Default, Dkts. 157, 158); International Granite & Stone, LLC (Voluntary Dismissal, Dkt. 185, May 21, 2018); Hugh Palmer & Recquel Palmer (Clerk's Default, Dkts. 231, 232, September 26, 2018); Joseph Zoltak & Ruth Victoria Zoltak (Clerk's Default, Dkts. 233, 234); Everett Arnold & Judith Arnold (Clerk's Default, Dkts. 243, 244, October 2, 2018); Total Design Source, Inc. (Clerk's Default, Dkt. 247, October 9, 2018).

And according to Plaintiff's Motion for Summary Judgment, Defendants Gary and Gail Trask purchased the subject property and the lien released. (Dkt. 218, p. 12 ¶ 36 and pp. 22-23; Dkt. 218-1, ¶ 30). The last remaining Defendants (Bakerfield Custom Homes Corp.; Walter F. Linfield, an individual; and Walter F. Linfield, as Trustee of the Walter F. Linfield Revocable Trust dated April 12, 2016) have filed a Joint Stipulation for Entry of Agreed Foreclosure Judgment (Dkt. 109), which is approved by this order.

judgment of foreclosure as a matter of law.

Plaintiff's Motion for Summary Judgment is **GRANTED**. The Joint Stipulation for Entry of Agreed Foreclosure Judgment (Dkt. 109) is **APPROVED**. Plaintiff is directed to file a proposed final judgment of foreclosure within fourteen (14) days of this order.² The CLERK is directed to enter judgment in favor of Plaintiff Centennial Bank.

DONE AND ORDERED this 10th day of October, 2018.

/s/ James D. Whittemore

JAMES D. WHITTEMORE
United States District Judge

Copies to:
Counsel of Record

² The proposed judgment shall also be submitted to chambers with exhibits, in hard copy with a disk compatible with Word Perfect.