

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO NATIONSBANK, N.A.,
SUCCESSOR BY MERGER TO
NATIONSBANK, N.A. (SOUTH),

Plaintiff,

Case No. 10 6059

v.

Division: C

ROBERT A. PLACERES, *et. al.*

Defendants.

ORDER GRANTING ATTORNEYS' FEES

THIS CAUSE, having come before the Court on January 7, 2011 on Defendants' Motion to Tax Attorneys' Fees, and the Court, having reviewed the motion and the affidavits submitted, heard the arguments of counsel, and being duly advised in the premises, hereby;

FINDS:

1. In light of Plaintiff's voluntary dismissal, Defendants were and are the prevailing parties in this case. Plaintiff's argument otherwise lacked evidentiary support and is rejected.
2. Defendants are entitled to prevailing party attorneys' fees pursuant to the terms of the Note and the fee-shifting provision of Fla. Stat. 57.105.
3. Defendants incurred \$1,500.00 of attorney time defending this case. The Court finds the \$250 hourly rate of Defendants' counsel, Mark P. Stopa, Esq., to be reasonable, as were the six hours of attorney time spent in defense of this case.

It is thereby ORDERED AND ADJUDGED as follows:

4. The Motion be and is hereby GRANTED.
5. Defendants, ROBERT PLACERES and VIRGINIA PLACERES, whose address

is 4528 La Carmen Street, Tampa, FL 33611, shall recover from Plaintiff, BANK OF AMERICA, N.A., Bank of America Corporate Center, Charlotte, NC 28255, the total sum of ONE THOUSAND FIVE HUNDRED and 00/100 DOLLARS (\$1,500.00), which shall bear interest at the legal rate, for which sum let execution issue.

DONE AND ORDERED in Chambers in Tampa, Hillsborough County, Florida on this ____ day of January, 2011.

Circuit Court Judge

cc: Mark P. Stopa, Esq.
Yahaira Diaz, Esq.