

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

CERTUSBANK, N.A. (INC.), Assignee)
of and Successor in Interest to the)
Federal Deposit Insurance Corporation,)
as Receiver for Atlantic Southern Bank,)
)
Plaintiff,)
)
v.)
)
THAXTON NOTE ACQUISITION, LLC)
CCS DEVELOPMENT, INC.,)
GILLIARD TRUCKING, INC. and)
KENNETH SAMS THAXTON,)
Individually,)
)
Defendants.)
_____)

CIVIL ACTION FILE
NO.:5:15-CV-143-CAR

**ORDER GRANTING PLAINTIFF’S RULE 25(c) MOTION TO
SUBSTITUTE PARTY AS THE PLAINTIFF**

On March 28, 2016, Plaintiff CertusBank, N.A.’s (Inc.) (“CertusBank”) filed its Motion to Substitute RREF II CER CO Acquisitions, LLC (“RREF”) as the Plaintiff pursuant to Fed.R.Civ.P. 25(c) following the transfer and assignment of CertusBank’s interest in certain loan documents executed by Defendants Thaxton Note Acquisition, LLC (“TNA”), CCS Development, Inc., Gilliard Trucking, Inc. and Kenneth Sams Thaxton, Individually (“Thaxton”) to RREF as shown in the Motion, Incorporated Memorandum of Law, and the attached/cited exhibits to same.

Having considered the Motion and Incorporated Memorandum of Law, the exhibits attached and cited thereto, CertusBank's Motion [Doc. 26] is hereby **GRANTED**, and **RREF II CER CO Acquisitions, LLC** is **SUBSTITUTED** as **the Plaintiff** in this action and shall be listed as the Plaintiff on all subsequent pleadings and filings in this matter. Laurel Creek Spainhour and William K. Carmichael and the law firm Stokes Carmichael & Ernst LLP shall remain as counsel of record for Plaintiff RREF in this matter. It is further **ORDERED** that CertusBank is hereby **RELEASED** from this action without prejudice.

This 1st day of June, 2016.

Presented By:
STOKES CARMICHAEL & ERNST LLP

S/ C. Ashley Royal
C. Ashley Royal
United States District Judge

By: /s/ Laurel Creek Spainhour
William K. Carmichael
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