

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO.: 2017-CA-771
DIVISION: CV-H

The CITY OF JACKSONVILLE, a
municipal corporation,

Plaintiff,

vs.

COWEALTH LLC, a Florida limited
liability company, and BASIC PRODUCTS
LLC, a Florida limited liability company,

Defendants.

_____ /

**AMENDMENT TO MOTION FOR DEFAULT AND
FINAL JUDGMENT AFTER DEFAULT**

Plaintiff, the CITY OF JACKSONVILLE (the “City”), through its undersigned counsel, amends its previously filed Motion for Default and Final Judgment After Default (the “Motion”) filed June 7, 2017, to request the inclusion of costs and pre-judgment interest as part of the final judgment against Defendants, COWEALTH LLC and BASIC PRODUCTS LLC (collectively, “Defendants”), and in support thereof states as follows:

1. As set forth in the City’s Motion, default and final judgment after default should be entered against Defendants in the amount of \$210,549.99 for failure to plead or otherwise defend and for failure to comply with the Court’s Order Striking Answer entered April 21, 2017, which struck the *pro se* answer filed by JoAnn Brown on behalf of Defendants and required that Defendants retain counsel to respond to the Complaint within thirty (30) days of the Court’s Order.

2. The final judgment against Defendants should include the amount of \$421.00 for the filing fee (as reflected on the docket) and pre-judgment interest as calculated below from the period June 25, 2016 to the date of the judgment. Composite Exhibit D to the Complaint includes a letter from Mr. Kirk Wendland, Executive Director of the Office of Economic Development for the City of Jacksonville, in which Mr. Wendland informs Defendants that Defendants were in default of the Redevelopment Agreement with the City and were past all applicable cure periods. Therefore, June 25, 2016 is the starting date for the calculation of prejudgment interest.

3. Per § 55.03(1), Florida Statutes, and the rates set forth on Florida’s Chief Financial Officer’s website (<http://www.myfloridacfo.com/Division/AA/Vendors>), prejudgment interest on \$210,549.99 for the period June 24, 2016 to June 30, 2017, is calculated as follows:

<u>Time Period</u>	<u>Days</u>	<u>Per Diem Rate</u> (as decimal)	<u>Amount</u>
06/25/16—06/30/16	6	.0001306011	\$164.99
07/01/16—09/30/16	92	.0001322404	\$2,561.58
10/01/16—12/31/16	92	.0001341530	\$2,598.62
01/01/17— 03/31/17	91	.0001361644	\$2,608.91
04/01/17—06/30/17	91	.0001383562	\$2,650.91
	Total		\$10,585.01

4. To the prejudgment interest amount calculated above must be added \$29.82 per day (\$210,549.99 x .0001416438) for each day that elapses between June 30, 2017 and date final judgment is entered.

WHEREFORE, the City requests that the Court enter default and final judgment after default in favor of the City and against Defendants, jointly and severally, in the principal amount of \$210,549.99 plus costs of \$421.00 and prejudgment interest.

DATED this 20th day of June, 2017.

OFFICE OF GENERAL COUNSEL

/s/ Jacob J. Payne
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Counsel for the City

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of June, 2017, a true and correct copy of the foregoing was filed with the Clerk of Court via the Florida Courts e-Filing Portal and to the following by U.S. Mail:

CoWealth LLC
c/o Joann Brown
5638 Commonwealth Avenue
Jacksonville, FL 32254

Basic Products, LLC
c/o Joann Brown
5638 Commonwealth Avenue
Jacksonville, FL 32254

/s/ Jacob J. Payne
Jacob J. Payne
Assistant General Counsel