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

CASE NO.: 2019 CA 004933
DIVISION:

HARD ROCK MATERIALS, INC.,
a Florida corporation,

Plaintiff,

vs.

NORTHPOINTE SERVICES, INC,
A Florida profit corporation,

Defendant.

PLAINTIFF'S MOTION FOR FINAL JUDGMENT AFTER DEFAULT

Plaintiff, HARD ROCK MATERIALS, INC. ("Plaintiff"), files this motion for the entry of a final judgment after default (the "Motion") against Defendant, NORTHPOINTE SERVICES, INC., ("Defendant"). The grounds for the Motion are that the pleadings on file, together with the affidavits submitted in support of this Motion, demonstrate that Plaintiff is entitled to final default judgment as a matter of law. The particular grounds for this Motion are:

PROCEDURAL HISTORY

1. Plaintiff filed the Complaint against Defendant on July 10, 2019. (*See* Docket at 3).
2. Personal service of process was effectuated on Defendant on or about July 22, 2019 as evidenced by the Affidavit of Service filed with this Court on July 29, 2019. (*See* Docket at 6).
3. As there was no response by Defendant within the requisite twenty days, Plaintiff filed its Motion for Entry of Default against Defendant on August 13, 2019.
4. On August 15, 2019, a default was entered by this Court against Defendant for

failure to serve or file any paper as required by law (*See* Docket at 8).

5. Defendant's default admits the well-pleaded allegations of Plaintiff's complaint. *See Szucs v. Qualico Dev., Inc.*, 893 So.2d 708, 711 (Fla. 2d DCA 2005); *Hooters of America, Inc. v. Carolina Wings, Inc.*, 655 So.2d 1231, 1233 (Fla. 1st DCA 1995).

6. Plaintiff's Complaint establishes Plaintiff's delivery of certain materials and supplies at an agreed upon rate, Defendant's receipt and acceptance of certain materials and supplies, and Defendant's failure to pay for those materials and supplies.

FACTS ESTABLISHED BY DEFAULT

7. Defendant ordered construction materials and supplies from Plaintiff. (Compl. ¶ 4.)

8. Defendant failed to pay Plaintiff for those construction materials and supplies that it ordered and received. A copy of Plaintiff's statement of account is attached to the Complaint as Exhibit "A". (Compl. ¶ 5).

9. Payment to Plaintiff on the account is due in Green Cove Springs, Clay County, Florida. (Compl. ¶ 6).

10. Pursuant to orders placed by Defendant, Plaintiff sold and delivered various construction materials and/or supplies to Defendant for which Plaintiff has not received payment. (Compl. ¶ 11).

11. Defendant owes Plaintiff \$15,282.77 for construction materials and/or supplies sold by Plaintiff to Defendant according to attached account marked as Exhibit "A" to the Complaint. (Compl. ¶ 12).

12. Defendant is indebted to Plaintiff in the sum of \$15,282.77 according to the account marked Exhibit "A" to the Complaint. (Compl. ¶ 14).

AMOUNT DUE

13. Contemporaneously with this motion, Plaintiff files its Proof of Claim, Affidavit of Costs and by this reference makes the same a part of the Motion as if set forth herein

14. As set forth in the Affidavit, Plaintiff is due, as of August 16, 2019, the principal sum of \$15,282.77; pre-judgment interest in the amount of \$595.40; and costs in the amount of \$550.47; which comes to a total of **\$16,428.64**.

WHEREFORE, Plaintiff, HARD ROCK MATERIALS, INC., respectfully requests that the Court enter final judgment for Plaintiff and against Defendant, NORTHPOINTE SERVICES, INC., and for such further relief as this Court deems just and proper.

Dated this 16th day of August, 2019.

JIMERSON BIRR, P.A.

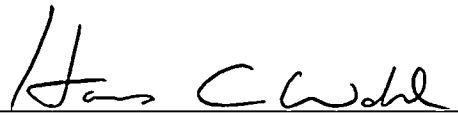
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CERTIFICATE OF SERVICE

I CERTIFY that the foregoing document has been furnished to the below recipients via U.S. Mail on this 16th day of August, 2019.

Northpointe Services, Inc.
c/o Michael M. Moore, Registered Agent
12300 Holstein Dr.
Jacksonville, FL 32226


Attorney

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