

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cv-00531-MOC-DCK

SUNTRUST INVESTMENT SERVICES, INC.,)
)
 Plaintiff,)
)
 Vs.)
)
 ROBERT DULL,)
)
 Defendant.)

ORDER

THIS MATTER is before the court on plaintiff’s Motion to Confirm Arbitration Award” (#1). On or about January 7, 2016, plaintiff served defendant with a copy of such motion and a copy of the “Summons in a Civil Action” (#2), in which this court advised defendant that he had 21 days from service of the pleading and the Summons to answer or otherwise respond. See id. at 1; see also Amended Proof of Service (#4). Nearly three months have passed since defendant was served and defendant has not answered or otherwise appeared.

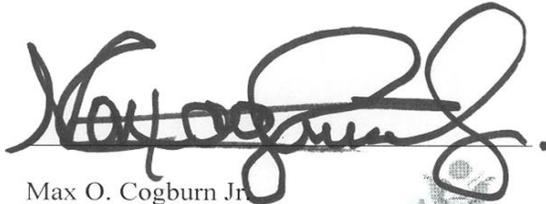
The court has, therefore, considered plaintiff’s Motion to Confirm Arbitration Award. Review of the motion and the exhibits supporting the motion reveal that the arbitrator executed a Stipulated Award. As a matter of law, the court will confirm an arbitrator’s award unless it appears that the award is or should be vacated, modified, or corrected under Sections 10 and 11 of the FAA. 9 U.S.C. § 9. Here, the award issued by the arbitrator was agreed to by both parties and has not been vacated, modified, or corrected. The court will, therefore, confirm the uncontested award.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion to Confirm Arbitration Award (#1) is GRANTED, and the award in the amount of \$184,139.42 is CONFIRMED, along with daily interest in the amount of \$4.38 per day between the date of the award (9/21/2015) and the date the Judgment based on this Order is entered by the Clerk of this Court, with interest thereafter accruing at the North Carolina Judgment rate, which is presently 8% per annum.

The Clerk of Court is instructed to enter a Judgment consistent with this Order.

Signed: April 7, 2016



Max O. Cogburn Jr.
United States District Judge