

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TEXAS CAPITAL BANK, N.A.

Plaintiff,

v.

DANIEL ZEIDMAN,

Defendant.

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CIVIL ACTION NO. 3:17-cv-3109

**TEXAS CAPITAL BANK, N.A.'S
MOTION FOR SUMMARY JUDGMENT**

COMES NOW TEXAS CAPITAL BANK, N.A. ("Plaintiff"), the Plaintiff herein, who files this Motion for Summary Judgment ("Motion") and in support thereof, would show as follows:

A. SUMMARY OF THE MOTION

1. Plaintiff is a federally-insured banking association with branch offices throughout the Dallas/Fort Worth metroplex. Plaintiff extended a loan to a borrower and Daniel Zeidman ("Defendant") guaranteed the indebtedness. The Borrower has defaulted and demand was made on the Defendant pursuant to his Guaranty, but Defendant has failed and refused to satisfy the balance due and owing. Plaintiff seeks recovery of all amounts due and owing pursuant to the written Guaranty Agreement executed by the Defendant.

B. PROCEDURAL BACKGROUND

2. The lawsuit was initially filed in Dallas County, Texas in State Judicial District Court. Defendant removed to Federal Court this cause of action to Federal Court.

3. The Plaintiff has served written discovery on the Defendant which the Defendant has timely answered.

C. MOTION

4. Plaintiff files a brief in support of this Motion which explains, in detail, the basis for the Motion, the law and facts supporting the Motion, and the relief requested.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court grant its Motion for Summary Judgment and recover all amounts due and owing from the Defendant, plus its taxable Court costs, attorneys' fees and for other such relief, whether at law or in equity, to which Plaintiff may be entitled.

Respectfully submitted,

STROMBERG STOCK, P.L.L.C.

By: /s/ Brett Field
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument was served upon counsel for Defendant by ECF and U. S. First Class Mail, postage prepaid, on this the 3rd day of April, 2018.

/s/ Brett Field
BRETT FIELD