

1 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
2 IN AND FOR CARSON CITY

3 \* \* \*

4 HERBERT G. HIGGINS, and  
5 KENNETH LePOIDEVIN,

No. A-39724

6 Plaintiffs,

7 vs.

8 DON RUTHRAUFF, C AND D CO., INC.,  
9 and JOHN DOES I through V,  
10 Inclusive,

11 Defendants.

FILED

1978 SEP 21 AM 11:37

VAUGHN L. SMITH  
CLERK

12 DEFAULT JUDGMENT

13 BE IT REMEMBERED that the Defendants, DON RUTHRAUFF and  
14 C AND D CO., INC., have been served with process on the 9th day  
15 of August, 1978, and having failed to answer Plaintiffs' Com-  
16 plaint on file herein, and the regular time for answering having  
17 expired, and no answer or motion having been filed, the default  
18 of said Defendants in the premises having been duly entered  
19 according to law, upon application of said Plaintiffs, to the  
20 Clerk, and after proof of service of Summonses in pursuance of  
21 the prayer of said Complaint,

22 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
23 that the Plaintiffs do have and recover from the Defendants, DON  
24 RUTHRAUFF and C AND D CO., INC., jointly and severally, judgment  
25 for the sum of \$ 75,000.00, based upon the fraud, breach  
26 of trust and malfeasance.

27 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
28 Plaintiffs do have and recover from the Defendants, DON RUTHRAUFF  
29 and C AND D CO., INC., jointly and severally, judgment as and  
30 for punitive damages in the sum of \$ 75,000.00, as and for  
31 the fraudulent and malicious actions of Defendants, plus Court  
32 costs of \$71.00, totaling \$ 150,071.00, to bear interest at

25581

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1 the legal rate of seven percent (7%) per annum from the date of  
2 this Judgment.

3 DONE IN OPEN COURT this 21st day of September, 1978.

4 Michael E. Fendi  
5 DISTRICT JUDGE

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8  
9 Lot 16 as shown on the map of VALLEY VIEW SUBDIVISION, filed in  
10 the Office of Douglas County, Nevada, on November 12, 1958.

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27 CERTIFIED COPY

28 The document to which this certificate is at-  
29 tached is a full, true and correct copy of the  
original on file and of record in my office.

30 DATE: September 21, 1978  
31 VAUGHN L. SMITH, City Clerk and Clerk  
of the First Judicial District Court of the State  
of Nevada, Carson City.

32 Reynolds Deputy

8

COPY

REQUESTED BY

*Rob Jordan*  
OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA

*\$5.00 pd*

1979 SEP 22 PM 2:05

PATRICIA J. WILLIAMS  
RECORDER

*Patricia Williams* 25581  
*dep.*

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