

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA
LAS VEGAS DIVISION

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CAROL M. HENNING
BY *Carol Henning*
DEPUTY

LANE OF ALABAMA, INC., d/b/a
SPRING VALLEY FARMS,

PLAINTIFF

VS.

E. & B. INC., d/b/a
ACO SALES, A CORPORATION,
BERNARD S. GILMAN AND
ED LA FORTE,

DEFENDANTS

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CIVIL ACTION, FILE NO.

L.V. 80-279, HEC

ENTERED

JAN - 8 1981

AGREED JUDGMENT

On the 6th day of January, 1980, wherein LANE OF ALABAMA, INC.,
d/b/a SPRING VALLEY FARMS, a corporation, is PLAINTIFF and E. & B. INC.,
d/b/a ACO SALES, a corporation, BERNARD S. GILMAN, individually and ED LA
FORTE, individually, are DEFENDANTS, came on to be heard said cause by
agreement. The parties, by and through their respective attorneys of
record announced to the Court that they had agreed to the entry and rendition
of an Agreed Judgment. The parties further announced by and through their
attorneys of record that they had entered into a comprehensive compromise
and settlement agreement, a copy of which is on file herein. The Court
finds that such compromise and settlement agreement is fair and equitable
and should be approved.

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA
BY *Carol Henning* DEPUTY

The Court finds that all parties have personally appeared herein
and have answered herein and all parties have personally submitted themselves
through their personal appearance and the appearance of their attorney to the
jurisdiction of this Court and all parties have waived all objections to venue.
The Court further finds that all of the DEFENDANTS have agreed that PLAINTIFF
is entitled to a Judgment as a matter of fact and law.

The Court further finds that as between PLAINTIFF, LANE OF ALABAMA,
INC., d/b/a SPRING VALLEY FARMS, a corporation, and DEFENDANT, E. & B. INC., a
corporation, d/b/a ACO SALES, the respective parties have agreed the Judgment herein
entered and rendered is based upon the sworn account set forth in Plaintiff's
Original Complaint on file herein and referred to as Exhibit "A" in the

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Original Complaint on file herein; and that such debt alleged by PLAINTIFF in its Original Complaint and by its sworn account is just, due and owing by DEFENDANT, E. & B. INC., d/b/a ACO SALES to PLAINTIFF, LANE OF ALABAMA, INC., d/b/a SPRING VALLEY FARMS, a corporation, for goods sold and delivered by PLAINTIFF to DEFENDANT, E. & B. INC., d/b/a ACO SALES, as ordered by said DEFENDANT.

The Court further finds that as between PLAINTIFF, LANE OF ALABAMA, INC., d/b/a SPRING VALLEY FARMS, a corporation, and DEFENDANTS, BERNARD S. GILMAN, individually, and ED LA FORTE, individually, the parties have agreed that the Agreed Judgment entered herein is based upon a written guaranty of the account sued upon by PLAINTIFF, which written guaranty is referred to as Exhibit "B" in the Original Complaint of PLAINTIFF filed herein; and the parties have further agreed that such debt sued upon and covered by said guaranty of the account sued upon is just, due and owing by virtue of the guaranty, by DEFENDANTS, BERNARD S. GILMAN, individually, and ED LA FORTE, individually, to PLAINTIFF, LANE OF ALABAMA, INC., d/b/a SPRING VALLEY FARMS, a corporation.

The Court further finds that DEFENDANTS, BERNARD S. GILMAN, individually, and ED LA FORTE, individually, have agreed that they are jointly and severally liable for the debt sued upon by virtue of the above-mentioned written guaranty.

The Court further finds that it should enter this Agreed Judgment by virtue of the agreements of the parties and the personal appearance of all DEFENDANTS, and that all of the DEFENDANTS have approved and agreed to the entry and rendition of this JUDGMENT as is evidenced by their signatures which are affixed hereinbelow.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that PLAINTIFF, LANE OF ALABAMA, INC., d/b/a SPRING VALLEY FARMS, a corporation, have and recover of and from DEFENDANTS, E. & B. INC., a corporation, d/b/a ACO SALES, BERNARD S. GILMAN, individually, and ED LA FORTE, individually, jointly and severally, the sum of eighty-eight thousand, three hundred and sixty-nine dollars and eighteen cents (\$88,369.18) which represents the principal amount of the account sued upon plus interest at the rate of six per cent (6%) per annum from and after June 29, 1980, as agreed to date of this Judgment.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that PLAINTIFF have and recover from all DEFENDANTS, jointly and severally, Judgment interest at the rate of nine (9%) per cent per annum from date of this Judgment until fully paid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that PLAINTIFF, have and recover from all DEFENDANTS, jointly and severally, agreed reasonable attorney's fees totalling six thousand one hundred seventeen and fifty-three/100ths dollars (\$6,117.53) and post-judgment interest thereon at the rate of nine (9%) per cent per annum from date of this Judgment.

All costs of Court are hereby taxed against DEFENDANT, jointly and severally, for which let execution issue.

Signed, entered and rendered this 6 day of January, 1981

[Signature]
JUDGE PRESIDING

APPROVED AND AGREED:

Lionel, Sawyer & Collins
1700 Valley Bank Plaza
300 South Fourth Street
Las Vegas, Nevada 89101
(702) 385-2188

Attorneys for Defendants,
E. & B. Inc., d/b/a
Aco Sales, a corporation,
Ed La Forte, individually,
and Bernard S. Gilman,
individually

By [Signature]
Rodney V. Jean,
of Counsel

Walters & Associates, Inc.,
A Professional Corporation
1602 Avenue N
Lubbock, Texas 79401
(806) 762-0191

Attorneys for Plaintiff,
Lane of Alabama, Inc.,
d/b/a Spring Valley Farms,
a corporation

By [Signature]
James A. Walters,
of Counsel

APPROVED, AGREED TO AND
CONFESSED WHERE APPLICABLE:

E. & B. Inc., d/b/a Aco Sales,
a corporation

By [Signature]
President

By [Signature]
Secretary

Bernard S. Gilman, individually

By [Signature]
Bernard S. Gilman

Ed La Forte, individually

By [Signature]
Ed La Forte

SEAL

I hereby attest and certify on May 6, 1982
that the foregoing document is a full, true and correct
copy of the original on file in my office, and in my
legal custody.

CLERK, U. S. DISTRICT COURT
DISTRICT OF NEVADA

By [Signature] Deputy

REQUESTED BY
Walters & Assoc. Inc.
IN OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA
\$ 6.00 fee
1982 MAY 24 AM 10:58

SUZANNE BEAUDREAU
RECORDER

[Signature]
Rep.

WALTERS & ASSOCIATES, INC.
A PROFESSIONAL CORPORATION
ATTORNEYS
1602 AVENUE N
LUBBOCK, TEXAS 79401

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