

FILED

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JUDI BAILEY, CLERK
BY P. BRACKETT
DEPUTY

1 Case No. 85-1011
2 Dept. No. 3

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE

8 ENERGY EXPLORATION DRILLING, INC.,
9 a Nevada corporation,

10 Plaintiff,

11 v.

12 ESTES ENTERPRISES, INC., a Nevada
13 corporation,

14 Defendant.

AMENDED
DEFAULT JUDGMENT

15 On January 31, 1985, Plaintiff, Energy Exploration
16 Drilling, Inc. filed its complaint against Defendant, Estes
17 Enterprises, Inc., alleging that Defendant was indebted to
18 Plaintiff in the amount of \$9,010.25, plus interest, for the
19 outstanding balance due on a promissory note for money loaned by
20 Plaintiff to Defendant. The Complaint also alleged that Defendant
21 fraudulently induced Plaintiff to lend money to Defendant, and
22 that, based on such fraud, Plaintiff was entitled to an award of
23 exemplary damages against Defendant in an amount in excess of
24 \$10,000. The promissory note attached to the Complaint provides
25 for payment of Attorney's fees and costs in the event of default.
26 Plaintiff has filed its request for entry of default judgment
27 based upon the Clerk's Default entered due to Defendant's failure
28 to plead or otherwise appear or discharge the obligation
29 referenced in the Complaint. The affidavit filed in support of
30 the application for entry of default judgment states that the
31 amount owed under the promissory note is \$9,010.25 plus interest
32 at the rate of twelve percent (12%) per annum from December 6,
1984 until paid and that all matters alleged in the Complaint are

120682

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✓ W. P. BRACKETT, CLERK
P.O. Box 70250
Reno, NV 89570-0250

1 true. Defendant was served on February 7, 1985. A clerk's default
2 was entered on February 28, 1985 due to Defendant's failure to
3 appear or plead. Based upon the record, the Court finds that (1)
4 Plaintiff is entitled to an award of damages against Defendant in
5 the amount of \$9,010.25 plus interest at 12% per annum from
6 December 6, 1984 until paid, (2) Plaintiff is entitled to an
7 award of exemplary damages against Defendant in an amount in
8 excess of \$10,000, which amount shall be determined at a hearing
9 to be held for that purpose, (3) Plaintiff is entitled to an
10 award of attorney's fees in an amount to be established at said
11 hearing, and (4) Plaintiff is entitled to an award of its costs
12 of suit. Accordingly, and good cause appearing therefor,

13 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
14 judgment is entered in favor of Plaintiff, Energy Exploration
15 Drilling, Inc., and against Defendant, Estes Enterprises, Inc.,
16 in the amount of \$9,010.25 together with interest thereon at the
17 rate of 12% per annum from December 6, 1984 until paid.

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
19 Plaintiff shall set a hearing in this matter, and give notice
20 thereof to Defendant, for the purpose of determining the amount
21 of exemplary damages and attorney's fees which shall be awarded
22 to Plaintiff against Defendant.

23 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
24 Plaintiff is awarded its costs of suit together with attorneys
25 fees in the amount to be established at the above-mentioned
26 hearing.

27
28 Dated this 19 day of April, 1985.

29 **SEAL**

CERTIFIED COPY

30 The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: July 16, 1985
JUD. BAILEY, Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By: [Signature] Deputy.

SS. Deborah A. Agosto
DISTRICT JUDGE

RECORDED
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JUDI BAILEY, Clerk
By: L. SNOW Deputy
BOOK 785 PAGE 2230

COPY

REQUESTED BY
Heace, Harris & Morrison
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

85 JUL 29 AM 11:22

SUZANNE BEAUDREAU
RECORDER

\$ 7⁰⁰ PAID *JK* DEPUTY

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