

FILED

2000 AUG -4 PM 2: 29

AMY HARVEY, CLERK

BY G. Velarde  
DEPUTY

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

GRANITE CONSTRUCTION COMPANY,  
INC., a California corporation,

Case No. CV 98-05486

Plaintiff,

Dept. No. 7

v.

TIM EUGENE BERTAGNOLLI d.b.a.  
T.E. BERTAGNOLLI & ASSOCIATES;  
UNITED PACIFIC INSURANCE  
COMPANY, a Pennsylvania corporation,  
and DOES 1 through 10,

Defendants.

**JUDGMENT**

While this case was pending, United Pacific Insurance Company entered into a partial settlement with Granite Construction Company under which Granite received the principal amount of its claim. Granite also received a partial payment of accrued contract interest. The parties then litigated Granite's entitlement to contract interest and attorney fees and United Pacific Insurance Company's entitlement to indemnity from Tim Eugene Bertagnolli and T.E. Bertagnolli & Associates, Inc. at a non-jury trial held on October 20, 1999. At the end of the trial the Court requested briefing of the interest and attorneys' fees issues.

On April 19, 2000, the Court entered an order awarding Granite Construction Company, Inc. \$16,643.75 in attorney fees.

On July 14, 2000, the Court entered an order granting partial summary judgment in favor of Granite Construction Company, Inc. on the interest issue.

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Mortimer, Sourwine & Spawie, LTD  
4950 Kietzke Lane, Suite 302A  
Reno, NV 89502

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1 Therefore and with good cause appearing,

2 IT IS ORDERED AND ADJUDGED AS FOLLOWS:

3 1. That Granite Construction Company, Inc. recover of defendants Tim Eugene Bertagnolli,  
4 T.E. Bertagnolli & Associates, Inc. and United Pacific Insurance Company, jointly and severally, the  
5 sum of \$96,873.10.

6 2. That United Pacific Insurance Company recover of defendants Tim Eugene Bertagnolli  
7 and T.E. Bertagnolli & Associates, Inc., jointly and severally, the sum of \$394,497.19.

8 DATED this 4<sup>th</sup> day of August, 2000.

*Peter I. Breen*

DISTRICT JUDGE

22 CERTIFIED COPY

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

26 DATE: AUG - 9 2000  
27 AMY HARVEY, Clerk of the Second Judicial  
28 District Court, in and for the County of  
Washoe, State of Nevada,

By *[Signature]* Deputy

SEAL

25 REQUESTED BY  
Juliana Sourwine Ess  
26 IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

27 2000 AUG 23 PM 3: 13

28 LINDA SLATER  
RECORDER

\$ 8.00 PAID ka DEPUTY

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