

COOKE, ROBERTS AND REESE, LTD.

ATTORNEYS AND COUNSELORS AT LAW

P.O. BOX 2229 - RENO, NEVADA

89505

1 Case No. 99-CV-0318

2 Dept. No. II

FILED

NO _____

REC
JAN 30 2000
DOUGLAS COUNTY
DISTRICT COURT CLERK

'01 FEB -1 P2:19

BARBARA REED
CLERK

BY ~~_____~~ DEPUTY

8 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF DOUGLAS

11 ROUND HILL SQUARE, LLC.

CONFESSION OF JUDGMENT

12 Plaintiff,

13 vs.

14 MIDNIGHT MINE, INC.,

15 Defendants.

16 Comes now Defendant, MIDNIGHT MINE INC., having appeared in open
17 court on Tuesday the 25th of January 2000, by and through its
18 attorneys Law Offices of Michael P. Hamsch, by L. Mark Bissonette
19 and through its President, Roy Burgk, and having stipulated to a
20 settlement herein, declares that judgment may enter, under the terms
21 and conditions of that stipulation, as follows:

- 22 1. Defendant shall pay to Plaintiff, ROUND HILL SQUARE, LLC,
23 \$36,000.00 that amount being deemed to be the amount due for
24 past rent including all interest;
- 25 2. Defendant shall pay to Plaintiff the sum of \$58,000.00 that
26 being deemed the amount due for landlord improvements to the
27 subject property;
- 28 3. This judgment is being entered, Upon ten (10) days notice, in

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1 accordance with the Stipulation and Order on file herein,
2 therefore;

3 IT IS ORDERED, that Plaintiff recover from Defendant the sum of
4 Ninety Four Thousand Dollars (\$94,000.00). Defendant is entitled to
5 a credit for installment payments made pursuant to the Stipulation
6 and Order in the amount of \$30,000.00. Plaintiff shall also recover
7 the amount of \$8,307.07 as and for unpaid rent under the Lease.
8 Thus, the total amount due under this Confession of Judgment is
9 \$72,307.07. This amount shall bear interest at the rate of nine
10 percent (9%) from the date of this judgment.

11 IT IS FURTHER ORDERED, that Defendant shall vacate the subject
12 premises, and turn over control of the restaurant and all
13 outstanding stock of Midnight Mine, Inc. within twenty one (21) days
14 of this judgement (Midnight Mine shall continue to operate until
15 control is turned over to Round Hill Square, Midnight Mine shall
16 keep the business in good order, nothing shall be removed and no
17 property shall be damaged).

MIDNIGHT MINE, INC.

18
19
20 Dated: 6-1-00

By: [Signature]
Roy Burgk, President

21
22 IT IS SO ORDERED

23 Dated: February 1, 2001

[Signature]
DISTRICT JUDGE

24
25
26
27 CERTIFIED COPY

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.

SEAL

Page 2 of 2

DATE: February 2, 2001
[Signature] Clerk of the 4th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By: [Signature] Deputy

TOTAL P.03

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COPY

REQUESTED BY
Cooke Roberts & Root
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 FEB 15 PM 3:09

LINDA SLATER
RECORDER

\$ 9.00 PAID kg DEPUTY

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