

When recorded mail to:

Kelly R. Chase
P.O. Box 2800
Minden NV 89423

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1 Case No.

02CV0007

JAN 07 2002

2 Dept.

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DOUGLAS COUNTY
DISTRICT COURT CLERK

BARBARA REED
CLERK

BY GREGORY DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

9 EVAN BEAVERS & ASSOCIATES, P.C.,

10 Plaintiff,

11 v.

JUDGMENT UPON CONFESSION

12 HOWARD W. HERZ an individual, and
13 KREGG L. HERZ, an individual,

14 Defendants.

15
16 Upon application by the Plaintiff herein pursuant to NRS 17.090
17 et seq., and it appearing from the files and records in the above-
18 entitled action that Defendants herein have duly confessed to judgment
19 in writing for a specified sum justly due, which written statement is
20 attached hereto as **Exhibit A** and incorporated herein by reference,

21 JUDGMENT is hereby entered against the Defendants HOWARD W.
22 HERZ and KREGG L. HERZ by confession for the following sums:

- 23 1. The principal sum of Thirty-five Thousand Dollars
- 24 (\$35,000).
- 25 2. For interest on the above principal sum at a rate of ten
- 26 percent (10%) per annum from the date of entry hereof until paid in
- 27 full.

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1 3. For the sum of Twenty Four Dollars (\$24.00) pursuant to
2 NRS 17.110.

3 ENTERED this 9th day of Jan, 2002.
4

5 CLERK OF COURT
6 *Barbara Bees*
7 By P. GREGORY
8 Deputy Clerk

9
10
11
12
13 SUBMITTED BY:
14 *Kelly R. Chase*
15 Kelly R. Chase
16 P.O. Box 2800
Minden NV 89423
(775) 782-3099

COOPER

COPY

EXHIBIT A

0532082

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**AFFIDAVIT RE:
ACKNOWLEDGMENT OF DEBT AND
CONFESSION OF JUDGMENT**

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)

COMES NOW, **HOWARD W. HERZ** and **KREGG L. HERZ**, husband and wife, pursuant to NRS 17.090 et seq. and NRS 68.050, and hereby acknowledge and confess judgment for the debt, justly due without setoff or defense, payable to **Evan Beavers & Associates, P.C.**, in the sum of THIRTY FIVE THOUSAND DOLLARS (\$35,000.00) with interest from the 31st day of October, 2001, on unpaid principal at the rate ten percent (10%) per annum. Said debt is due for legal services rendered to the undersigned by said law office from on or about the date of August 27, 1998 through April 2000, and the debt herein does not exceed the liability for such services as set forth in and allowed by that certain retainer agreement between the parties dated on or about August 27, 1998.

The undersigned hereby authorizes the entry of judgment for this debt according to the terms set forth herein by the Ninth Judicial District Court, County of Douglas, State of Nevada, and to add hereto the costs thereof to the amount of the judgment entered hereon. Said judgment shall include accrual of interest at the rate set forth herein.

The undersigned agree that in case any enforcement or execution of the judgment entered hereon is instituted to collect this obligation, or any portion thereof, to pay all costs and attorney's fees incurred by the judgment creditor therein, the same to be included in as part of the judgment entered hereon as additional damages obtained on this debt.

The undersigned acknowledge and agree that they have been advised by legal counsel concerning the legal effect and meaning of this

1 document and executes the same voluntarily with full appreciation of the
2 obligations and liabilities in this document.

3 The undersigned does hereby swear or affirm under penalty of
4 perjury that the foregoing assertions are true and made and based upon
5 my own personal knowledge except as to those matters which are based on
6 information and belief, and as to such matters, we believe them to be
7 true. In the event we were called upon to do so, we would and could
8 competently testify as to the foregoing.

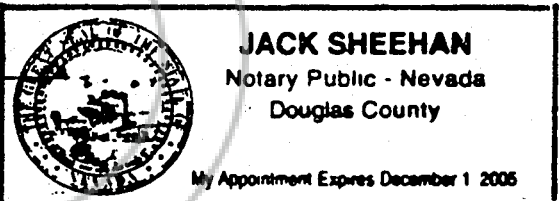
9
10 *Howard W. Herz*
11 HOWARD W. HERZ

Kregg L. Herz
KREGG L. HERZ

13 STATE OF NEVADA)
14) SS.
15 COUNTY OF DOUGLAS)

16 On 12/24/01, 2001, before me, a notary public, personally
17 appeared HOWARD W. HERZ, personally known or proved to me to be the
18 person whose name is subscribed to the above instrument who acknowledged
19 that he executed the instrument.

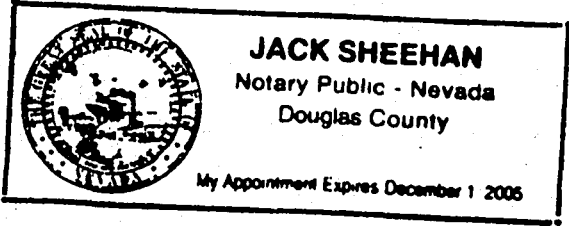
18 *Jack Sheehan*
19 Notary Public



20 STATE OF NEVADA)
21) SS.
22 COUNTY OF DOUGLAS)

23 On 12/24/01, 2001, before me, a notary public, personally
24 appeared KREGG L. HERZ, personally known or proved to me to be the
25 person whose name is subscribed to the above instrument who acknowledged
26 that she executed the instrument.

26 *Jack Sheehan*
27 Notary Public



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SEAL

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.

DATE: 1/7/02

Bled Clerk of the 9th Judicial District Court of the State of Nevada, in and for the County of Douglas,

By Dugan Deputy

REQUESTED BY
Kelly R. Chose
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2002 JAN 11 PM 1:08

LINDA SLATER
RECORDER

\$19.00 PAID [Signature] DEPUTY

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