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REQUESTED BY
Michael Springer
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DOUGLAS CO., NEVADA

2004 AUG 12 AM 10:20

WERNER CHRISTEN
RECORDER

\$17⁰⁰ PAID *Bh* DEPUTY

RECORDING REQUESTED BY:

NAME: Law Offices of Michael B. Springer
James B. Leslie, Esq.

ADDRESS: 500 Ryland, Suite 200

CITY/STATE/ZIP: Reno, NV 89502

JUDGMENT

This page added to provide additional information required by NRS 111.312 Sections 1-2.
(Additional recording fee applies)
THIS COVER PAGE MUST BE TYPED

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1 Michael B. Springer, Esq.
2 Nevada State Bar No. 1948
3 James B. Leslie, Esq.
4 Nevada State Bar No. 4464
5 LAW OFFICES OF MICHAEL B. SPRINGER
6 500 Ryland, Suite 200
7 Reno, NV 89502
8 (775) 786-7445
9 Attorney for Plaintiff
10 United Electrical Services, Inc.

2004 AUG -5 PM 1:31

P. GREGORY

BY _____

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

12 IN AND FOR THE COUNTY OF DOUGLAS

13 UNITED ELECTRICAL SERVICES,
14 INC., a Nevada corporation,

CASE NO. 03CV 0240

DEPT. NO. I

15 Plaintiff,

16 vs.

17 GERT VON MARSCHNER,
18 individually, dba OXINAL; and
19 DOE DEFENDANTS I through V,
20 inclusive,

21 Defendants.

22 JUDGMENT

23 This matter came on regularly for arbitration on June 8,
24 2004, pursuant to the Nevada Arbitration Rules, Mandatory
25 Arbitration Program. The arbitrator was attorney, Richard S.
26 Staub, of Carson City, Nevada. Plaintiff was present and
27 represented by counsel, James B. Leslie. Defendant was present
28 and represented himself in proper person.

Plaintiff presented its case by way of documents and
witnesses. The Arbitrator's Order in this case expressly finds
that the defendant's Answer was not made truthfully or in good
faith, that the defendant conducted little or no discovery, that

1 the defendant failed to file a pre-hearing statement as
2 instructed, that the defendant did not present any witnesses or
3 evidence at the hearing and relied solely upon his closing
4 arguments in support of his defense. The Arbitrator's Order
5 further finds that defendant failed to defend the action in good
6 faith and thereby, pursuant to NAR 22(a), waived his right to a
7 trial de novo.

8 Based upon the witnesses and documents presented at the
9 arbitration, the arbitrator awarded the sum of \$18,321.51 to the
10 plaintiff.

11 The written contract between the parties provides plaintiff
12 interest on unpaid sums at 24 percent per annum. The Arbitrator's
13 Award of \$18,321.51 is inclusive of interest at that contractual
14 rate from the time payment first became due until the date of the
15 hearing on June 8, 2004. At the 24 percent interest per contract,
16 the original balance of \$13,418.51 draws interest at the daily
17 amount of \$8.82. In the 38 additional days accrued since the
18 arbitration hearing, through July 16, 2004, additional interest of
19 \$335.16 has accrued, bringing the total principal award to
20 \$18,656.67.

21 Upon plaintiff's motion, to which no opposition was filed by
22 the defendant, the arbitrator issued his Amended Decision on
23 Motion for Attorney's Fees and Costs, therein awarding to the
24 plaintiff \$5,109.50 in attorney's fees and \$722.19 in costs.

25 The arbitrator expressly found that pursuant to NAR 22(a) the
26 defendant failed to defend in good faith and therefore waived his
27 right to a trial de novo.

28 / / /

1 IT IS ADJUDGED, ORDERED AND DECREED that the plaintiff shall
2 have and recover from defendant, GERT VON MARSCHNER dba Oxinal,
3 the principal sum of THIRTEEN THOUSAND FOUR HUNDRED EIGHTEEN and
4 51/100 (\$13,418.51) DOLLARS, with interest thereon at 24 percent
5 per annum from the 17th day of July, 2004, until paid in full,
6 together with FIVE THOUSAND TWO HUNDRED THIRTY-EIGHT and 16/100
7 (\$5,238.16) DOLLARS in accrued interest from date said amount
8 became due through and including July 16, 2004, plus attorney's
9 fees and costs in the amount of FIVE THOUSAND EIGHT HUNDRED
10 THIRTY-ONE and 69/100 (\$5,831.69) DOLLARS, for a total judgment of
11 TWENTY-FOUR THOUSAND FOUR HUNDRED EIGHTY-EIGHT and 36/100
12 (\$24,488.36) DOLLARS.

13 DATED this 5 day of Aug, 2004.

14
15
16
17 David R. [Signature]
18 District Judge

19
20
21
22 (C:\Client Files\UNITEDELEC\Oxinal\JUDGMENT.wpd)

23
24 **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: 8/10/04
By: [Signature] Deputy
of the State of Nevada, in and for the County of Douglas,