

Defendants failed to file an answer in this case. At the hearing, the Receiver appeared through his attorney. The Defaulting Defendants did not appear.

At the hearing, the Court determined it had jurisdiction over the subject matter and the parties in this proceeding, and the citations and proofs of service as to each Defaulting Defendant were on file for at least ten days before the motion was filed. After considering the pleadings, the papers on file in this case, and the evidence the Receiver presented on liability, damages, and attorney fees, the Court GRANTS the Receiver's motion for default judgment.

The Court hereby RENDERS judgment for the Receiver against Third-Party Defendants David Dolph, IAM Financial Services, Inc., Joel Franklin, First Covenant Financial Partners, LLC, Paul Brost, John P. Fish, Emil Laskowski, Stephen W. Horn, Anthony Heuermann, Capitol Financial Group, Arvin Gowens, Robert Kleppe, Joanne Kleppe, Malcolm Campbell, Richard Brasmer, Dan Glazier, Ron Thompson, Dennis N. Ueoka, John Hodge, Eric Lopez, First Capital Advisers, Hal Partenheimer, Kenneth P. Petticolas, Brenda Kay Martin, Wealth Integrated Network, LLC, Douglas Berkey, Timothy E. Tullos, Victor Maria Cruz, Marie Petry, Tommy Ventures LLC, Stephen G. McIntyre, Michael D. Morrow, Fendz Asset Management, Gloria Jane Young, Real Talk Network, Life Assurance LLC, Ryan J. Carr, Harry J. Vance, Larry Lowder, Carl V. Gottuso, Justin Martin, Michael William Sylkatis, Stonehurst Securities, Inc., Pam Joy Friske and Martha A. Lepere.

The Court finds that the Receiver is entitled to actual damages, prejudgment and post judgment interest and court costs. In addition, the Receiver is entitled to reasonable and necessary attorney's fees pursuant to Section 38.001 of the Texas Civil

Practices & Remedies Code as well as Section 24.013 of the Texas Business & Commerce Code.

Accordingly, the Court orders that the Receiver recover the following:

1. From David Dolph, \$98,734.34 in actual damages, prejudgment interest from August 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from David Dolph reasonable and necessary attorney's fees of \$37,025.38, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

2. From IAM Financial Services, Inc., \$29,250.00 in actual damages, prejudgment interest from August 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from IAM Financial Services, Inc. reasonable and necessary attorney's fees of \$10,968.75, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

3. From Joel Franklin, \$61,750.00 in actual damages, prejudgment interest from August 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Joel Franklin reasonable and necessary attorney's fees of \$23,156.25, which is 37.5% of actual damages awarded.

Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

4. From First Covenant Financial Partners, LLC, \$114,515.00 in actual damages, prejudgment interest from August 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from First Covenant Financial Partners, LLC reasonable and necessary attorney's fees of \$42,943.12, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

5. From Paul Brost, \$23,925.00 in actual damages, prejudgment interest from August 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Paul Brost reasonable and necessary attorney's fees of \$8,071.88, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

6. From John Fish, \$64,900.00 in actual damages, prejudgment interest from August 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from John Fish reasonable and necessary attorney's fees of \$24,337.50, which is 37.5% of actual damages awarded.

Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

7. From Emil Laskowski, \$32,491.01 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Emil Laskowski reasonable and necessary attorney's fees of \$12,184.13, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

8. From Stephen W. Horn, \$23,091.30 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Stephen W. Horn reasonable and necessary attorney's fees of \$8,659.24, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

9. From Anthony Heuermann, \$15,000.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Anthony Heuermann reasonable and necessary attorney's fees of \$5,625.00, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

10. From Capitol Financial Group, \$16,048.34 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Capitol Financial Group reasonable and necessary attorney's fees of \$6,018.13, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

11. From Arvin Gowens, \$43,599.84 in actual damages, prejudgment interest from December 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Arvin Gowens reasonable and necessary attorney's fees of \$16,349.94, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

12. From Robert Kleppe, \$6,943.47 in actual damages, prejudgment interest from December 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Robert Kleppe reasonable and necessary attorney's fees of \$6,943.47, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

13. From Joanne Kleppe, \$7,126.50 in actual damages, prejudgment interest from December 12, 2011 at a rate of 5% until the date of this judgment, court costs, and

post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Joanne Kleppe reasonable and necessary attorney's fees of \$2,672.44, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

14. From Malcolm Campbell, \$4,000.00 in actual damages, prejudgment interest from December 12, 2011 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Malcolm Campbell reasonable and necessary attorney's fees of \$1,500.00, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

15. From Richard Brasmer \$11,739.25 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Richard Brasmer reasonable and necessary attorney's fees of \$4,402.22, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

16. From Dan Glazier, \$12,690.00 in actual damages, a prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Dan Glazier reasonable and

necessary attorney's fees of \$4,758.75, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

17. From Ron Thompson, \$36,257.78 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Ron Thompson reasonable and necessary attorney's fees of \$13,596.67, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

18. From Martha A. Lepere, \$22,324.98 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Martha A. Lepere reasonable and necessary attorney's fees of \$8,375.28, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

19. From Dennis N. Ueoka, \$11,817.81 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Dennis N. Ueoka reasonable and necessary attorney's fees of \$4,431.67, which is 37.5% of actual damages

awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

20. From John Hodge, \$12,480.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from John Hodge reasonable and necessary attorney's fees of \$4,680.00, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

21. From Eric Lopez, \$19,516.98 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Eric Lopez reasonable and necessary attorney's fees of \$7,318.87, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

22. From First Capital Advisers, \$30,500.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from First Capital Advisers reasonable and necessary attorney's fees of \$11,437.50, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

23. From Hal Partenheimer, \$20,102.39 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Hal Partenheimer reasonable and necessary attorney's fees of \$7,538.40, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

24. From Kenneth P. Petticolas, \$50,151.75 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Kenneth P. Petticolas reasonable and necessary attorney's fees of \$18,806.91, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

25. From Brenda Kay Martin, \$5,125.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Brenda Kay Martin reasonable and necessary attorney's fees of \$1,921.88, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

26. From Wealth Integrated Network, LLC, \$24,256.57 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment,

court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Wealth Integrated Network, LLC reasonable and necessary attorney's fees of \$9,096.21, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

27. From Douglas Berkey, \$25,666.94 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Douglas Berkey reasonable and necessary attorney's fees of \$9,625.10, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

28. From Timothy E. Tullos, \$17,500.00 in actual damages prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Timothy E. Tullos reasonable and necessary attorney's fees of \$6,562.50, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

29. From Victor Maria Cruz, \$54,069.43 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Victor Maria

Cruz reasonable and necessary attorney's fees of \$20,276.04, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

30. From Marie Petry, \$11,931.49 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Marie Petry reasonable and necessary attorney's fees of \$4,474.31, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

31. From Tommy Ventures LLC, \$10,614.50 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Tommy Venture LLC reasonable and necessary attorney's fees of \$3,980.44, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

32. From Stephen G. McIntyre, \$13,658.08 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Stephen G. McIntyre reasonable and necessary attorney's fees of \$5,121.78, which is 37.5% of actual

damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

33. From Michael D. Morrow, \$40,000.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Michael D. Morrow reasonable and necessary attorney's fees of \$15,000, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

34. From Fenz Asset Management, \$15,000.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Fenz Asset Management reasonable and necessary attorney's fees of \$5,625.00, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

35. From Gloria Jane Young, \$33,000.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Gloria Jane Young reasonable and necessary attorney's fees of \$12,375.00, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

36. From Life Assurance LLC, \$17,504.78 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Life Assurance LLC reasonable and necessary attorney's fees of \$6,564.29, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

37. From Ryan J. Carr, \$14,977.50 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Ryan J. Carr reasonable and necessary attorney's fees of \$5,616.56, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

38. From Real Talk Network, \$29,762.39 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Real Talk Network reasonable and necessary attorney's fees of \$11,160.89, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

39. From Harry J. Vance, \$11,300.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post

judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Harry J. Vance reasonable and necessary attorney's fees of \$4,237.50, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

40. From Larry Lowder, \$27,600.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Larry Lowder reasonable and necessary attorney's fees of \$10,350.00, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

41. From Carl V. Gottuso \$40,292.75 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Carl V. Gottuso reasonable and necessary attorney's fees of \$15,109.78, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

42. From Justin Martin, \$56,689.62 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Justin Martin reasonable and

necessary attorney's fees of \$21,258.61, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

43. From Michael William Sylkatis, \$35,300.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Michael William Sylkatis reasonable and necessary attorney's fees of \$13,237.50, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

44. From Stonehurst Securities, Inc., \$42,370.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Stonehurst Securities, Inc. reasonable and necessary attorney's fees of \$15,888.75, which is 37.5% of actual damages awarded. Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

45. From Pam Joy Friske, \$28,000.00 in actual damages, prejudgment interest from March 23, 2012 at a rate of 5% until the date of this judgment, court costs, and post judgment interest on the above from today until paid at a rate of 5% compounded annually. In addition, the Receiver shall also recover from Pam Joy Friske reasonable and necessary attorney's fees of \$10,500.00, which is 37.5% of actual damages awarded.

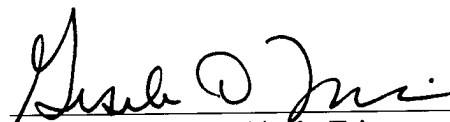
Post judgment interest shall also accrue on the award of attorney's fees from today until paid at a rate of 5% compounded annually.

The Court further orders that if a Defaulting Defendant unsuccessfully appeals this judgment to an intermediate court of appeals, the Receiver will additionally recover from the Defaulting Defendant the amount of \$10,000, representing the anticipated reasonable and necessary fees and expenses that would be incurred by the Receiver in defending the appeal.

The Court further orders that if a Defaulting Defendant unsuccessfully appeals this judgment to the Texas Supreme Court, the Receiver will additionally recover from the Defaulting Defendant the amount of \$5,000 in the event a petition for discretionary review is filed but the Texas Supreme Court denies review, or \$10,000 in the event the Texas Supreme Court grants review. Such amounts represent the anticipated reasonable and necessary fees and expenses that would be incurred by the Receiver in defending the appeal.

This judgment is not final, does not dispose of all claims and all parties, and is not appealable.

SIGNED on the 19th day of April, 2013.



Honorable Judge Gisela Triana
PRESIDING JUDGE