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Eric C. Wood

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CAUSE NO. 09-09666

"CHASE" DOUGLAS FONTENO and
HILTON HEAD PROPERTIES, INC.

Plaintiffs,

v.

MICHAEL R. DAVIS

Defendant.

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IN THE DISTRICT COURT

298th JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

PARTIAL DEFAULT JUDGMENT

-- Liability Only

On this day came to be considered the motion for partial default judgment on liability filed by Plaintiffs "Chase" Douglas Fonteno ("Fonteno") and Hilton Head Properties, Inc. ("Hilton Head") (collectively "Plaintiffs") against Defendant Michael R. Davis ("Davis").

Plaintiffs appeared by and through their attorney of record. Davis, although having been duly and legally cited to appear and answer, failed to appear and answer and wholly made default. Citation was served on Davis as according to law on August 7, 2009. Citation was returned to the clerk and filed on August 10, 2009, where it has remained on file for a period exceeding ten (10) days as required by law.

The Court has read the pleadings and papers on file and is of the opinion that the *factual* allegations of Plaintiffs' petition have been admitted *as a result of Defendant's failure to answer or otherwise appear.*

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiffs' motion for partial default judgment on liability is hereby GRANTED.

SIGNED on the 21 day of October, 2009.

Emily A. Tabeley

JUDGE PRESIDING