

436E 001-377

CAUSE NO. 09-09868

Maelstrom Properties, LLC.
Hilton Head Finance, LLC and
Hilton Head Properties, Inc.

Plaintiffs

VS.

Michael Ray Davis

Defendant

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IN THE 101st DISTRICT COURT

OF

DALLAS COUNTY, TEXAS

FINAL ORDER for DEFAULT JUDGMENT

ON April 28, 2010, the Plaintiffs, Maelstrom Properties, LLC., Hilton Head Finance, LLC and Hilton Head Properties, Inc. appeared with their attorney of record, Kristine Skocpol-Saleh for the purpose of presenting evidence of its damages against Defendant, Michael R. Davis, for Violations of Texas Wiretap Act, Fraud, Embezzlement, Conversion, Theft and Invasions of Privacy. The Defendant did not appear by way of its attorney or *pro se*. Notice of this hearing if not required, as the defendant received all the notice to which he is entitled when he was served with process and he has failed to file an answer or make an appearance. After review of the exhibits tendered into evidence with proper notice, the Court's own records and docket and from hearing the argument of the Plaintiffs' counsel; the Court finds that the Plaintiff's have a basis for their petition and is with merit.

The Court finds the Defendant guilty of Fraud, Conversion/Embezzlement/Theft, and Invasion of Privacy. Further, the Court also finds the Defendant in violation of the Texas Wiretap Act.

THEREFORE IT IS ORDERED, AJUDGED, and DECREED, that the relief requested by the Plaintiff is hereby **GRANTED**.

IT IS FUTHER ORDERED, that a default judgment is hereby rendered against Defendant, Michael R. Davis in favor of the Plaintiffs. And that the Defendant shall not be allowed to oppose the designated claims or to refute the damages evidence presented by the Plaintiffs.

The damages in the Plaintiffs' petition are liquated and unliquidated. The Court conducted a hearing in which the Plaintiffs presented evidence of damages and proved the amount of damages in the amount of **\$190,602.48** (one hundred ninety thousand six hundred two dollar and forty-eight cents) during the hearing.

IT IS FUTHER ORDERED, that the Defendant Michael R. Davis shall not be allowed to refute the damages evidence presented by the Plaintiffs of their claims filed against Defendant Michael R. Davis.

IT IS FURTHER ORDERED, that the Plaintiffs, Maelstrom Properties, LLC, Hilton Head Finance, LLC and Hilton Head Properties, Inc., jointly and severally, recover from the Defendant, Michael R. Davis, the sum of **\$190,602.48** (one hundred ninety thousand six hundred two dollar and forty-eight cents), post judgment interest on that sum at the annual rate of 5%, court cost, legal fees and that execution issue for this judgment.

THIS JUDGMENT IS INTENDED TO FINALLY DIPPOSE OF ALL ISSUES.

Signed this 17th day of May, 2010.


Judge Presiding

STATE OF TEXAS }
COUNTY OF DALLAS }

I, GARY FITZSIMMONS, Clerk of the District of Dallas County, Texas, do hereby certify that I have compared this instrument to be a true and correct copy of the original as appears of record in my office.

GIVEN UNDER MY HAND AND SEAL of said Court, at office in Dallas, Texas, this 26th day of May, A.D. 2010

GARY FITZSIMMONS, DISTRICT CLERK
DALLAS COUNTY, TEXAS

BY Fabian M. Scott Deputy