

FILED

Date 6-17-11
Fifth District Court • Washington County

By [Signature]

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File Reference No. 2100590

DOC # 20110021948

Judgment Page 1 of 4
Russell Shirts Washington County Recorder
07/20/2011 11:18:00 AM Fee \$ 16.00
By CANNON, BRYAN W



FIFTH DISTRICT COURT, STATE OF UTAH

WASHINGTON COUNTY, ST. GEORGE DEPARTMENT

FAIR DINKUM, LLC AS SUCCESSOR IN
INTEREST TO DIRECT MERCHANTS
CREDIT CARD

Plaintiff,

vs.

RUSSELL DAVIS

Defendant.

ORDER AND JUDGMENT

Civil No. 100501664
Judge John J. Walton

This matter came on regularly before the above-entitled Court pursuant to Plaintiff's Order to Compel. Based upon the Affidavit of Bryan W. Cannon and the court being otherwise fully advised in the premises, it is hereby

ORDERED, ADJUDGED AND DECREED that the Answer entered by Defendant herein on May 14, 2010 is hereby stricken, and that Plaintiff shall have a Judgment against Defendant, Russell Davis, as follows:

1. For Judgment in the principal sum of \$1,044.58, together with interest accrued at the contractual rate of 10% through June 1, 2011 in the amount of \$901.44.

- 2. For plaintiff's cost incurred herein in the sum of \$110.00
- 3. For a reasonable attorney's fee in the sum of \$250.00 pursuant to Rule 73 of the Utah Rules of Civil Procedure.
- 4. For attorney's fees in the amount of \$440.00 pursuant to the Order to Compel.

The total Judgment \$2,746.02 shall bear interest at the rate of 2.3% per annum until paid in full.

It is further ordered that this judgment shall be augmented in the amount of reasonable costs expended in collecting said judgment by execution or otherwise as shall be established by affidavit.

In the even Defendant believes the Court abused it's discretion in striking Defendant's Answer and entering a Judgment, Defendant may file a Motion to Set Aside Judgment under Rule 60(b) of the Utah Rules of Civil Procedure within three months from the date of the Judgment. Said Motion must be supported by an Affidavit setting forth mistake, inadvertence, excusable neglect, or other grounds and was not willful or part of a series of other actions indicating disrespect for court orders.

DATED this 9 day of June, 2011

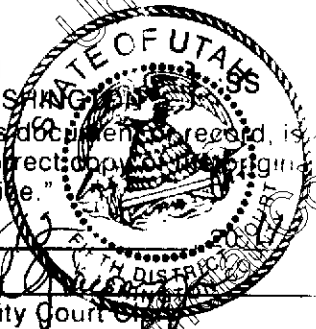


District Court Judge or Clerk

Judgment entered: _____

Time: _____

STATE OF UTAH
 COUNTY OF WASHINGTON
 "I certify that this document on record is full, true, and correct copy of the original on file in this office."
 Date July 20, 2011
 By [Signature]
 Deputy Court Clerk



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FIFTH DISTRICT COURT, STATE OF UTAH
WASHINGTON COUNTY, ST. GEORGE DEPARTMENT

FAIR DINKUM, LLC AS SUCCESSOR IN
INTEREST TO DIRECT MERCHANTS
CREDIT CARD

Plaintiff,

vs

RUSSELL DAVIS

Defendant.

JUDGMENT INFORMATION
SHEET

Civil No. 100501664
Judge John J. Walton

The Fair Dinkum, LLC as successor in interest to DIRECT MERCHANTS CREDIT CARD in this action, as Judgment Creditor, provides the following information in compliance with §78B-5-201.

1. The correct name of the Judgment Debtor is Russell Davis.
2. The correct last known address of the Judgment Debtor is 1836 Gubler Dr., Santa Clara UT 84765-5194.
3. The Judgment Debtor's Social Security Number is [REDACTED]; date of birth is January 10, 1935; driver's license number is n/a.

4. The name of the Judgment Creditor is Fair Dinkum, LLC as successor in interest to DIRECT MERCHANTS CREDIT CARD.
5. The address of the Judgment Creditor is 8619 S Sandy Pkwy., Ste. 111, Sandy UT 84070.
6. The amount of the Judgment is \$2,746.02.
7. The Judgment was entered on June 17, 2011.
8. The Judgment Creditor has reviewed its own records, the records of its attorney, and the records of this Court in which the Judgment was entered. Any information required by §78B-5-201 that has not been provided for in this statement is unknown and unavailable.



RICHARD S. MONTIERTH
Attorney for Plaintiff