

3RD DISTRICT COURT  
SALT LAKE COUNTY, STATE OF UTAH

BORDER STATES INDUSTRIES INC vs. DM ELECTRIX INC et al.

CASE NUMBER 210902774 Miscellaneous

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CURRENT ASSIGNED JUDGE

AMY OLIVER

PARTIES

Plaintiff - BORDER STATES INDUSTRIES INC

Represented by: TIMOTHY CURTIS

Represented by: HEIDI GOEBEL

Represented by: ALAN BEAL

Defendant - DAVID AARON MENA

Defendant - DM ELECTRIX INC

Defendant - 968 S WASHINGTON LLC

Represented by: DAVID BRIDGE

Represented by: RANDALL MORRIS

ACCOUNT SUMMARY

Total Revenue Amount Due:	380.50
Amount Paid:	0.00
Amount Credit:	0.00
Balance:	380.50

REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S

Original Amount Due:	375.00
Amended Amount Due:	375.00
Amount Paid:	0.00
Amount Credit:	0.00
Balance:	375.00

REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	1.50
Amended Amount Due:	1.50
Amount Paid:	0.00
Amount Credit:	0.00
Balance:	1.50

REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	0.00
Amount Credit:	0.00
Balance:	4.00

## CASE NOTE

## PROCEEDINGS

05-24-2021 Filed: Complaint  
05-24-2021 Case filed by efiler  
05-24-2021 Fee Account created Total Due: 375.00  
05-24-2021 COMPLAINT - NO AMT S Payment Received: 375.00  
05-24-2021 Judge TERESA WELCH assigned.  
05-24-2021 Filed: Return of Electronic Notification  
05-26-2021 Filed: Notice of Lis Pendens  
05-26-2021 Filed: Return of Electronic Notification  
06-15-2021 Filed: Amended Complaint  
06-15-2021 Filed: Return of Electronic Notification  
07-01-2021 Filed return: Return of Service Return of Service - David Mena upon DAVID MENA for  
Party Served: DAVID AARON MENA  
Service Type: Personal  
Service Date: June 27, 2021  
Garnishee:  
07-01-2021 Filed return: Return of Service Return of Service - DM Electrix, Inc. upon SERVED ON DAVID MENA, REGISTERED AGENT for  
Party Served: DM ELECTRIX INC  
Service Type: Personal  
Service Date: June 27, 2021  
Garnishee:  
07-01-2021 Filed: Return of Electronic Notification  
08-02-2021 Filed: Default Certificate (Proposed) Certificate of Default (David Mena)  
08-02-2021 Filed: Default Certificate (Proposed) Certificate of Default (DM Electrix, Inc.)  
08-02-2021 Filed: Return of Electronic Notification  
08-03-2021 Filed: Other - Not Signed Default Certificate (Proposed) Certificate of Default (David Mena)  
08-03-2021 Note: Default Certificate (Proposed) Certificate of Default (David Mena)--There is no Military Service Affidavit for defendant.tgf  
08-03-2021 Filed: Default Certificate Certificate of Default (DM Electrix, Inc.)  
08-03-2021 Filed: Return of Electronic Notification  
08-03-2021 Filed: Return of Electronic Notification  
08-04-2021 Filed: Military Service Aff/Declaration Military Service Declaration  
08-04-2021 Filed: Order (Proposed) Military Service Order  
08-04-2021 Filed: Return of Electronic Notification  
08-04-2021 Filed: Other - Not Signed Order (Proposed) Military Service Order  
08-04-2021 Note: Order (Proposed) Military Service Order--Military Service Affidavit is sufficient; no order needed.tgf  
08-04-2021 Filed: Return of Electronic Notification  
08-04-2021 Filed: Default Certificate (Proposed) Certificate of Default  
08-04-2021 Filed: Return of Electronic Notification  
08-04-2021 Filed: Default Certificate Certificate of Default  
08-04-2021 Filed: Return of Electronic Notification  
12-29-2021 Judge AMY OLIVER assigned.

01-03-2022 Judge SU CHON assigned.  
 01-03-2022 Judge AMY OLIVER assigned.  
 01-25-2022 Filed: Appearance of Counsel/Notice of Limited Appearance  
 Notice of Appearance of Counsel for Plaintiff  
 01-25-2022 Filed: Return of Electronic Notification  
 01-25-2022 Filed: Motion for Leave to Serve 968 S Washington, LLC by  
 Alternate Service  
           Filed by: BORDER STATES INDUSTRIES INC  
 01-25-2022 Filed: Order (Proposed) Order for Alternate Service by  
 Publication  
 01-25-2022 Filed: Return of Electronic Notification  
 01-26-2022 Filed order: Order for Alternate Service by Publication  
           Judge AMY OLIVER  
           Signed January 26, 2022  
 01-26-2022 Filed: Return of Electronic Notification  
 02-17-2022 Filed: Notice of Service by Publication  
 02-17-2022 Filed: Return of Electronic Notification  
 03-21-2022 Filed: Default Certificate (Proposed) Certificate of Default  
 03-21-2022 Filed: Return of Electronic Notification  
 03-22-2022 Filed: Default Certificate Certificate of Default  
 03-22-2022 Filed: Return of Electronic Notification  
 04-12-2022 Filed: Military Service Aff/Declaration Military Service  
 Declaration - David Mena  
 04-12-2022 Filed: Order (Proposed) Military Service Order - David Mena  
 04-12-2022 Filed: Return of Electronic Notification  
 04-12-2022 Filed: Default Judgment (Proposed) Default Judgment  
 04-12-2022 Filed: Motion for Default Judgment  
           Filed by: BORDER STATES INDUSTRIES INC  
 04-12-2022 Filed: Return of Electronic Notification  
 04-19-2022 Filed order: Order Military Service Order - David Mena  
           Judge AMY OLIVER  
           Signed April 19, 2022  
 04-19-2022 Filed: Return of Electronic Notification  
 04-27-2022 Filed judgment: Default Judgment Default Judgment  
           Judge AMY OLIVER  
           Signed April 27, 2022  
 04-27-2022 Judgment # 1 Entered 53,387.71 aoliver

Creditor : BORDER STATES INDUSTRIES INC  
 Debtor : DM ELECTRIX INC  
 Debtor : DAVID AARON MENA  
           6,097.50 AttorneyFees  
           47,290.21 Principal  
 53,387.71 Judgment Grand Total

04-27-2022 Filed: Return of Electronic Notification  
 04-29-2022 Case Disposition is Judgment  
 Disposition Judge is AMY OLIVER  
 06-16-2022 Fee Account created Total Due: 1.50  
 06-16-2022 Fee Account created Total Due: 4.00  
 06-16-2022 CERTIFIED COPIES Payment Received: 1.50  
 06-16-2022 CERTIFICATION Payment Received: 4.00  
 07-11-2022 Filed: Appearance of Counsel/Notice of Limited Appearance 968 S

WASHINGTON LLCs Notice of Entry of Appearance of Counsel (DSB)

07-11-2022 Filed: Return of Electronic Notification  
07-22-2022 Filed: Affidavit/Declaration Declaration of George F. Hauser  
07-22-2022 Filed: Motion For Relief Pursuant to Rule 60(b) and to Vacate  
the Default Judgment Entered on April 26, 2022  
Filed by: 968 S WASHINGTON LLC et al.  
07-22-2022 Filed: Return of Electronic Notification  
08-01-2022 Filed: Opposition to Defendant 968 S Washington, LLCs Motion  
for Relief Pursuant to Rule 60(b) and to Vacate the Default  
Judgment Entered on April 26, 2022  
08-01-2022 Filed: Return of Electronic Notification  
08-08-2022 Filed: Appearance of Counsel/Notice of Limited Appearance Randy  
J. Morris  
08-08-2022 Filed: Return of Electronic Notification  
08-08-2022 Filed: Reply in Support of Rule 60(B) Motion  
08-08-2022 Filed: Return of Electronic Notification  
08-08-2022 Filed: Request/Notice to Submit  
08-08-2022 Filed: Return of Electronic Notification  
08-09-2022 Cancelled: RULE 60(B) scheduled on August 30, 2022 at 10:00 AM  
in FOURTH FLOOR-W43 with Judge AMY OLIVER  
08-10-2022 Filed: Return of Electronic Notification  
08-17-2022 NOTICE for Case 210902774 ID 23009198  
08-17-2022 NOTICE for Case 210902774 ID 23009199

Date:

The reason for the change is Correct Calendar

08-17-2022 Rescheduled: RULE 60(B) rescheduled to August 30, 2022 at 09:00  
AM in FOURTH FLOOR-W43 with Judge AMY OLIVER

08-30-2022 Minute Entry - MOTION HEARING

Judge: AMY OLIVER

Clerk: stellaa

PRESENT

Plaintiff's Attorney(s): ALAN BEAL

Plaintiff's Attorney(s): TIMOTHY CURTIS

Defendant's Attorney(s): RANDALL MORRIS

Audio

Tape Number: w43 Tape Count: 900-922

HEARING

Both parties presented argument on rule 60(b) motion. The  
court will take the matter under advisment and the court  
will rule by submitting an order.

09-06-2022 Filed order: Order on Motion to Set Aside

Judge AMY OLIVER

Signed September 06, 2022

09-07-2022 Filed: Return of Electronic Notification

09-07-2022 Filed order: MOTION HEARING

Judge AMY OLIVER

Signed September 07, 2022

09-07-2022 Filed: Return of Electronic Notification

10-04-2022 Filed: Ex Parte Motion for Hearing to Identify Judgment Debtors  
DM Electrix and David Aaron Menas Property

10-04-2022 Filed: Order (Proposed) for Debtors DM Electrix and David Aaron  
Mena to Attend Hearing to Identify Judgment Debtors Property

10-04-2022 Filed: Return of Electronic Notification

10-05-2022 Filed: Other - Not Signed Order (Proposed) for Debtors DM  
Electrix and David Aaron Mena to Attend Hearing to Identify

Judgment Debtors Property

10-05-2022 Note: Plaintiff needs to submit a proposed order directing Defendant to appear virtually or in-person at Plaintiff's counsel's office on a specific date and time (not at the courthouse). The proposed order must clearly state that if Defendant fails to

10-05-2022 Note: comply, the court may impose sanctions under rule 7A.

10-05-2022 Filed: Return of Electronic Notification

10-17-2022 Filed: Amended Ex Parte Motion for Hearing to Identify Judgment Debtors DM Electrix and David Aaron Menas Property

10-17-2022 Filed: Order (Proposed) Amended Order for Debtors DM Electrix and David Aaron Mena to Attend Hearing to Identify Judgment Debtors Property

10-17-2022 Filed: Return of Electronic Notification

10-18-2022 Filed order: Order Amended Order for Debtors DM Electrix and David Aaron Mena to Attend Hearing to Identify Judgment Debtors Property

Judge AMY OLIVER  
Signed October 18, 2022

10-18-2022 Filed: Return of Electronic Notification

11-18-2022 Filed: Motion Ex Parte Motion to Enforce the October 18, 2022 Amended Order

Filed by: BORDER STATES INDUSTRIES INC

11-18-2022 Filed: Order (Proposed) Order to Appear and Explain Failure to Comply with the October 18, 2022 Amended Order

11-18-2022 Filed: Request/Notice to Submit Request to Submit for Decision (Hearing Requested)

11-18-2022 Filed: Return of Electronic Notification

11-23-2022 ORDER TO SHOW CAUSE scheduled on January 18, 2023 at 03:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION

11-24-2022 Filed: Return of Electronic Notification

11-25-2022 Filed order: Order to Appear and Explain Failure to Comply with the October 18, 2022 Amended Order

Judge AMY OLIVER  
Signed November 25, 2022

11-25-2022 Filed: Return of Electronic Notification

01-18-2023 Minute Entry - ORDER TO SHOW CAUSE/FTA

Judge: PAUL B PARKER  
Clerk: barbaran

PRESENT

Plaintiff's Attorney(s): ALAN BEAL

Audio

Tape Number: S34 Tape Count: 3.48

HEARING

The Court finds the defendant was served with the Order to Show Cause and has failed to appear. The case is referred to the Assigned Judge for further proceedings.