

SECOND DISTRICT COURT - OGDEN
WEBER COUNTY, STATE OF UTAH

HARVEST OF UTAH LLC vs. BLUE MOUNTAIN INC

CASE NUMBER 220902820 Contracts

CURRENT ASSIGNED JUDGE

JOSEPH BEAN

PARTIES

Plaintiff - HARVEST OF UTAH LLC

Represented by: F KEVIN BOND

Represented by: BUDGE CALL

Represented by: HARPREET KAUR

Defendant - BLUE MOUNTAIN INC

Represented by: COLE CANNON

Represented by: RACHEL HENDERSON

ACCOUNT SUMMARY

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

REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S

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

REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	5.50
Amended Amount Due:	5.50
Amount Paid:	5.50
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

06-29-2022 Filed: Complaint
06-29-2022 Filed: Exhibit A to Complaint
06-29-2022 Filed: Exhibit B to Complaint
06-29-2022 Filed: Exhibit C to Complaint
06-29-2022 Filed: Exhibit D to Complaint
06-29-2022 Filed: Exhibit E to Complaint
06-29-2022 Case filed by efiler

06-29-2022 Judge JOSEPH BEAN assigned.
06-29-2022 Fee Account created Total Due: 375.00
06-29-2022 COMPLAINT - NO AMT S Payment Received: 375.00
06-29-2022 Filed: Return of Electronic Notification
07-29-2022 Filed: Appearance of Counsel/Notice of Limited Appearance
07-29-2022 Filed: Motion Defendants 12(b)(6) Motion to Dismiss
Filed by: BLUE MOUNTAIN INC
07-29-2022 Filed: Return of Electronic Notification
08-02-2022 Filed: Notice of Lis Pendens
08-02-2022 Filed: Return of Electronic Notification
08-12-2022 Filed: Exhibit A to Memorandum in Opposition to the Defendants
12(b)(6) Motion to Dismiss
08-12-2022 Filed: Exhibit B to Memorandum in Opposition to the Defendants
12(b)(6) Motion to Dismiss
08-12-2022 Filed: Memorandum in Opposition to the Defendants 12(b)(6)
Motion to Dismiss
08-12-2022 Filed: Return of Electronic Notification
08-16-2022 Filed: Notice of Mediation
08-16-2022 Filed: Return of Electronic Notification
08-19-2022 Filed: Reply Memorandum in Support of Defendants 12(b)(6)
Motion to Dismiss
08-19-2022 Filed: Return of Electronic Notification
08-22-2022 Filed: Request/Notice to Submit for Decision
08-22-2022 Filed: Return of Electronic Notification
08-22-2022 Note: RTS on Motion to Dismiss sent to JMB for review.
08-22-2022 Note: Emailed counsel to schedule hearing for Motion to
dismiss.
08-24-2022 NOTICE for Case 220902820 ID 23028936
Judge: JOSEPH BEAN
IN PERSON ORAL ARGUMENT is scheduled.
Date: 12/15/2022
Time: 10:30 a.m.
Location: 4th Floor Northeast
SECOND DISTRICT COURT
2525 GRANT AVENUE
OGDEN, UT 84401
Before Judge: JOSEPH BEAN
08-24-2022 Cancelled: IN PERSON ORAL ARGUMENT scheduled on December 15,
2022 at 10:30 AM in 4th Floor Northeast with Judge JOSEPH BEAN
Reason: Settlement negotiations
08-24-2022 Filed: Notice for Case 220902820 CN Judge: JOSEPH BEAN
08-24-2022 Filed: Notice for Case 220902820 CN Judge: JOSEPH BEAN
08-25-2022 Filed: Return of Electronic Notification
11-29-2022 Filed: Notice of Withdrawal Notice of Withdrawal of Defendants
Motion to Dismiss
11-29-2022 Filed: Return of Electronic Notification
11-30-2022 Note: Counsel requested the OA hearing be cancelled as the
issue is moot. -tf
01-26-2023 NOTICE for Case 220902820 ID 23443047
Judge: JOSEPH BEAN
VIRTUAL REVIEW HEARING is scheduled.
Date: 03/23/2023
Time: 09:00 a.m.
Before Judge: JOSEPH BEAN

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

01-26-2023 VIRTUAL REVIEW HEARING scheduled on March 23, 2023 at 09:00 AM in 4th Floor Northeast with Judge JOSEPH BEAN

01-26-2023 Filed: Notice for Case 220902820 CN Judge: JOSEPH BEAN

01-27-2023 Filed: Return of Electronic Notification

03-23-2023 NOTICE for Case 220902820 ID 23585318

Judge: JOSEPH BEAN

VIRTUAL STATUS CONFERENCE is scheduled.

Date: 04/27/2023

Time: 09:00 a.m.

before Judge JOSEPH BEAN

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

03-23-2023 VIRTUAL STATUS CONFERENCE scheduled on April 27, 2023 at 09:00 AM in 4th Floor Northeast with Judge JOSEPH BEAN

03-23-2023 Filed: Notice for Case 220902820 CN Judge JOSEPH BEAN

03-23-2023 Minute Entry - VIRTUAL REVIEW HEARING

Judge: JOSEPH BEAN

Clerk: theresaf

PRESENT

Plaintiff's Attorney(s): F KEVIN BOND

Defendant's Attorney(s): RACHEL HENDERSON

Audio

Tape Number: 4B FTR/WBX Tape Count: 9:08-9:11

HEARING

Time is set for a Review hearing.

Mr. Bond provides the status of the case.

Counsel indicate that a stipulation is almost ready to be signed.

The Court sets this matter for a Status Conference. The hearing may be stricken if the signed stipulation is filed beforehand.

VIRTUAL STATUS CONFERENCE is scheduled.

Date: 04/27/2023

Time: 09:00 a.m.

before Judge JOSEPH BEAN

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

03-24-2023 Filed: Return of Electronic Notification

04-27-2023 NOTICE for Case 220902820 ID 23669267

Judge: JOSEPH BEAN

VIRTUAL REVIEW HEARING is scheduled.

Date: 05/25/2023

Time: 09:00 a.m.

before Judge JOSEPH BEAN

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

04-27-2023 VIRTUAL REVIEW HEARING scheduled on May 25, 2023 at 09:00 AM in 4th Floor Northeast with Judge JOSEPH BEAN

04-27-2023 Filed: Notice for Case 220902820 CN Judge JOSEPH BEAN

04-27-2023 Minute Entry - VIRTUAL STATUS CONFERENCE

Judge: JOSEPH BEAN

Clerk: theresaf

PRESENT

Plaintiff's Attorney(s): F KEVIN BOND

Defendant's Attorney(s): KYLE REEDER

Audio

Tape Number: 4B FTR/WBX Tape Count: 9:05-9:10

HEARING

Time is set for a Status Conference.

Mr. Bond reports on the status of the case. The parties have received a default notice and are still working on an agreement.

Mr. Reeder responds.

The Court sets this matter for a virtual review hearing.

VIRTUAL REVIEW HEARING is scheduled.

Date: 05/25/2023

Time: 09:00 a.m.

before Judge JOSEPH BEAN

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

04-28-2023 Filed: Return of Electronic Notification

05-25-2023 NOTICE for Case 220902820 ID 23736825

Judge: JOSEPH BEAN

IN PERSON EVIDENTIARY HEARING is scheduled.

Date: 08/08/2023

Time: 09:00 a.m.

Location: 4th Floor Northeast

SECOND DISTRICT COURT

2525 GRANT AVENUE

OGDEN, UT 84401

before Judge JOSEPH BEAN

05-25-2023 IN PERSON EVIDENTIARY HEARING scheduled on August 08, 2023 at 09:00 AM in 4th Floor Northeast with Judge JOSEPH BEAN

05-25-2023 Filed: Notice for Case 220902820 CN Judge JOSEPH BEAN

05-25-2023 Minute Entry - VIRTUAL REVIEW HEARING

Judge: JOSEPH BEAN

Clerk: theresaf

PRESENT

Plaintiff's Attorney(s): F KEVIN BOND

Defendant's Attorney(s): KYLE REEDER

Audio

Tape Number: 4B FTR/WBX Tape Count: 9:00-9:06

HEARING

Time is set for a Review hearing.

Mr. Bond provides the status of the case. The defendant has offered a settlement, the plaintiff accepted the settlement, but it has not been performed. Mr. Bond moves to enter default against the defendant since an answer has not been filed.

Mr. Reeder responds.

Mr. Bond is to file a default certificate.

The Court sets this matter for an Evidentiary Hearing.

IN PERSON EVIDENTIARY HEARING is scheduled.

Date: 08/08/2023

Time: 09:00 a.m.

Location: 4th Floor Northeast

SECOND DISTRICT COURT

2525 GRANT AVENUE

OGDEN, UT 84401

before Judge JOSEPH BEAN

05-25-2023 Filed return: Return of Service Declaration of Service upon AUTHORIZED AGENT - JULIE CAAK for

Party Served: BLUE MOUNTAIN INC

Service Type: Personal

Service Date: June 30, 2022

Garnishee:

05-25-2023 Filed: Return of Electronic Notification

05-25-2023 Filed: Default Certificate (Proposed)

05-25-2023 Filed: Return of Electronic Notification

05-25-2023 Filed: Return of Electronic Notification

05-26-2023 Note: Default Certificate (Proposed) sent to JMB.

06-01-2023 Filed: Default Certificate

06-01-2023 Filed: Return of Electronic Notification

07-18-2023 Filed: Plaintiffs Exhibit List (Evidentiary Hearing: August 8, 2023)

07-18-2023 Filed: Plaintiffs Witness List (Evidentiary Hearing: August 8, 2023)

07-18-2023 Filed: Return of Electronic Notification

07-20-2023 Filed: Witness and Exhibit List

07-20-2023 Filed: Return of Electronic Notification

07-25-2023 Filed: Objection to Admissibility of Defendants Exhibits

07-26-2023 Filed: Return of Electronic Notification

08-08-2023 Minute Entry - EVIDENTIARY HEARING

Judge: JOSEPH BEAN

Clerk: theresaf

PRESENT

Plaintiff(s): HARVEST OF UTAH LLC

Defendant(s): BLUE MOUNTAIN INC

Plaintiff's Attorney(s): F KEVIN BOND

Defendant's Attorney(s): RACHEL HENDERSON

Audio

Tape Number: 4B FTR Tape Count: 9:15-9:18

HEARING

Time is set for an Evidentiary hearing on the pending motions.

Mr. Bond reports that the parties have come to an agreement, and reads the terms on the record. Ms. Henderson and her client agree to be bound by the terms of the agreement.

The Court accepts the stipulation of the parties. Mr. Bond is to draft the order and judgment from today's hearing. The Court commends the parties for working together to resolve this matter.

- 08-14-2023 Filed: Judgment (Proposed) and Order (Hearing of August 8, 2023)
- 08-14-2023 Filed: Return of Electronic Notification
- 08-16-2023 Note: Proposed judgment sent to JMB.
- 08-16-2023 Case Disposition is Judgment
Disposition Judge is JOSEPH BEAN
- 08-16-2023 Filed judgment: Judgment and Order (Hearing of August 8, 2023)
Judge JOSEPH BEAN
Signed August 16, 2023
- 08-16-2023 Judgment # 1 Entered 867,328.80 jjbean

- Creditor : HARVEST OF UTAH LLC
Debtor : BLUE MOUNTAIN INC
867,328.80 Principal
867,328.80 Judgment Grand Total

- 08-16-2023 Filed: Return of Electronic Notification
- 08-25-2023 Fee Account created Total Due: 5.50
- 08-25-2023 CERTIFIED COPIES Payment Received: 5.50
- 08-25-2023 Filed: Attachment: Judgment and Order
- 08-25-2023 **** PRIVATE **** Filed: Judgment Information Statement
- 08-25-2023 Filed: Notice of Entry of Judgment and Order
- 08-25-2023 Filed: Return of Electronic Notification
- 09-05-2023 Filed: Exhibit A of Rule 65A Certification
- 09-05-2023 Filed: Motion for Temporary Restraining Order Enjoining the Trustee Sale of Real Property at Issue in this Case
Filed by: HARVEST OF UTAH LLC
- 09-05-2023 Filed: Rule 65A Certification re: Notice of Temporary Restraining Order
- 09-05-2023 Filed: Temporary Restraining Order (Proposed) Enjoining the Trustee Sale of Real Property at Issue in this Case
- 09-05-2023 Filed: Return of Electronic Notification
- 09-05-2023 Filed: Other - Not Signed Temporary Restraining Order (Proposed) Enjoining the Trustee Sale of Real Property at Issue in this Case
- 09-05-2023 Note: The submitted document(s) belong to a different case.
- 09-05-2023 Filed: Return of Electronic Notification