

The Order of the Court is stated below:

Dated: March 16, 2021
10:40:06 AM

/s/ DAVID HAMILTON
District Court Judge



Justin R. Baer (USB 11035)
Wesley J. Felice (USB 17524)
HIRSCHI BAER & CLAYTON, PLLC
68 S. Main Street, 6th Floor
Salt Lake City, UT 84101
Phone: (801) 990-0500
Email: justin@hbcfirm.com

ENT55456:2021 PG 1 of 3
Andrea Allen
Utah County Recorder
2021 Mar 24 01:56 PM FEE 40.00 BY IP
RECORDED FOR Hirschi Baer & Clayton, PLLC
ELECTRONICALLY RECORDED

Attorneys for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT
IN AND FOR DAVIS COUNTY, STATE OF UTAH

DANNY E. BLACKBURN

Plaintiff,

vs.

BRIAN MIDDLETON, d/b/a MY OFF-GRID
POWER, d/b/a UTAH TRAILER & REPAIR

Defendant.

AMENDED DEFAULT JUDGMENT

Civil No. 210700090

Judge David Hamilton

THIS MATTER came before the Court on the Plaintiff's Motion for Default Judgment. A default judgment was previously entered on March 8, 2021, and is amended in its entirety by this judgment. The Court, having reviewed Plaintiff's motion, Complaint, and Declaration of Danny Blackburn, finds as follows:

1. Defendant was served with the Summons and Complaint on February 5, 2021, but failed to respond or appear within the time required. A Default Certificate was entered on March 2, 2021.
2. Plaintiff has verified the allegations contained in the Complaint, and through his declaration, has established that he paid \$21,000 to Defendant, but never received the promised

battery (for a solar-power system for his residence) and Defendant has failed to return the \$21,000 or even respond to Plaintiff's correspondence.

3. As Plaintiff's claim is for breach of contract, the legal rate of 10% interest as provided in Utah Code Ann. § 15-1-1 applies.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Default Judgment is GRANTED, and the Court awards damages to Plaintiff totaling \$21,000 plus interest of 10% per annum. Judgment is hereby entered against Defendant as follows:

- A. The judgment creditor is Danny Blackburn.
- B. The judgment debtor is Brian Middleton, d/b/a My Off-Grid Power, d/b/a Utah Trailer & Repair.
- C. The address where Defendant was served with process is 2478 West 7625 South, West Jordan, Utah 84084.
- D. Plaintiff does not have personal knowledge of Defendant's birthdate or social security number.
- E. The total judgment entered against Defendant is \$21,000 principal, with 10% interest per annum until paid in full.
- F. As this is an amended judgment, and notice was given to the Defendant of the prior judgment, the Court finds that the delay in execution provided in Utah R. Civ. P. 62(a) need not apply, so the judgment may be enforced immediately after the entry of this amended judgment.
- G. This is the final judgment in accordance with Utah R. Civ. P. 54(b) and 55.

END OF ORDER

(Date, court seal, and signature appear at the top of the first page)