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Final Judgment (CHARLES L. MARSH)

Elizabeth E. Long
Superior Court of Fulton County

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

FILED IN OFFICE
JUL 15 2008
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

CHARLES L. MARSH, Plaintiff, v. BDI LAGUNA HOLDINGS, INC. and JAY L. WERTHEIMER, Defendants.	Civil Action File No. 2004 CV 84536

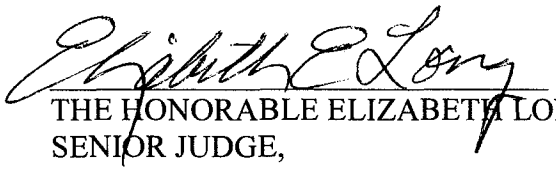
FINAL JUDGMENT

This action came on for trial before the Court and the jury, The Honorable Elizabeth Long presiding, during the week of June 23, 2008. At the close of the evidence offered by Plaintiff Charles L. Marsh, Defendant Jay L. Wertheimer moved for directed verdict on all claims. The Court heard argument by the parties on Defendant Wertheimer's motion, and directed a verdict in Defendant Wertheimer's favor on all claims for the reasons stated by the Court in the June 26, 2008 transcript of proceedings. Pursuant to O.C.G.A. § 9-11-54(b), it appearing to the Court that there is no just reason for delaying entry of final judgment in Defendant Wertheimer's favor and against Plaintiff Marsh on the claims against Defendant Wertheimer, notwithstanding the lack of final disposition of the other claims for relief by Plaintiff Marsh against Co-Defendant BDI Laguna Holdings, Inc., it is hereby

ORDERED AND ADJUDGED, that Plaintiff Charles L. Marsh take nothing from Defendant Jay L. Wertheimer, that this action be dismissed on the merits as against Defendant Jay L. Wertheimer, that Defendant Jay L. Wertheimer recover of Plaintiff costs of this action, and that final judgment in favor of Defendant Jay L. Wertheimer be entered upon the docket and

records of this Court.

IT IS SO ORDERED this 15th day of July, 2008.



THE HONORABLE ELIZABETH LONG
SENIOR JUDGE,
SUPERIOR COURT OF FULTON COUNTY
(BUSINESS COURT DIVISION)

General Civil Case Final Disposition Form (Non-Domestic)

Court
☑ **Superior**
☐ **State**

County Fulton

Docket # 2004 CV 84536

Date Disposed 06/26/2008
MM-DD-YYYY

Reporting Party Wertheimer, Jay L. — Defendant
Last First Middle I. Suffix Prefix Maiden — Title

Name of Plaintiff/Petitioner(s)

Marsh, Charles L.
Last First Middle I. Suffix Prefix Maiden

Name of Defendant/Respondent(s)

Wertheimer, Jay L.
Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney ☐ **Pro Se**

Hall, Steven G.
Last First Middle I. Suffix

Bar # 319308

Defendant/Respondent's Attorney ☐ **Pro Se**

Schlossberg, Ellen G.
Last First Middle I. Suffix

Bar # 629387

Type of Disposition (Check all that apply)

1. ☐ Pre-Trial Dismissal (Specify which type)
   - A. ☐ Involuntary
   - B. ☐ Voluntary (without prejudice)
   - C. ☐ Voluntary (with prejudice)
2. ☐ Pre-Trial Settlement
3. ☐ Default Judgment
4. ☐ Summary Judgment
5. ☐ Transferred/Consolidated
6. ☐ Bench Trial
7. ☑ Jury Trial (specify outcome further)
   - A. ☐ Dismissal after jury selected
   - B. ☐ Settlement during trial
   - C. ☐ Judgment on Verdict
   - D. ☑ Directed Verdict ~~or JNOV~~ in favor of Defendant Wertheimer

1. Judgment on Verdict. Was the verdict:
   - A. ☐ For Plaintiff(s) [all]
   - B. ☐ For Defendant(s) [all]
   - C. ☐ Other: (Explain)

AWARD

1. If verdict for Plaintiff, how much was awarded?

$		Compensatory
$		Punitive

2. If verdict on cross or counter claims, how much was awarded?

$		Compensatory
$		Punitive

3. Did the court modify the award?
   ☐ Yes ☑ No
4. Were attorneys fees awarded?
   ☐ Yes ☑ No

ADR

1. Was ADR utilized?
   ☑ Yes ☐ No
2. If yes, was it (check if applicable)
   ☑ court annexed?
   ☑ court mandated?
3. Did the matter settle after trial for other than judgment? (If known at the time of this submission)
   ☐ Yes ☑ No