

CAUSE NO. CC07-12215-d

AMERICAN EXCELSIOR CO.
Plaintiff

v.

SOUTHWEST RAIN-MAKERS,
INCORPORATED d/b/a SOUTHWEST
DEVELOPMENT

Defendant

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IN THE COUNTY COURT

AT LAW NO. FOUR

DALLAS COUNTY, TEXAS

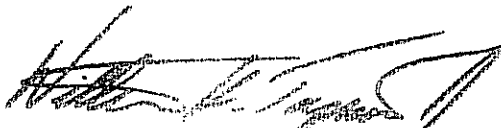
FINAL SUMMARY JUDGMENT

On the 30TH day of March , 2009, came on to be heard Plaintiff's Motion for Summary Judgment in the above entitled and numbered cause, and the Plaintiff, AMERICAN EXCELSIOR CO., appeared through its attorney of record, Mary Kuennen Kilany, and the Defendant, SOUTHWEST RAIN-MAKERS, INCORPORATED d/b/a SOUTHWEST DEVELOPMENT, appeared/failed to appear, and the Court, after announcing the case for hearing on the Motion, went on to hear the Motion. Immediately thereafter, a trial was held on the issue of attorney's fees. The Court, after examining the pleadings and evidence, and being of the opinion that Plaintiff should have judgment as prayed for, has decided to grant judgment as hereinbelow stated.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff, AMERICAN EXCELSIOR CO., do have and recover from the Defendant, SOUTHWEST RAIN-MAKERS, INCORPORATED d/b/a SOUTHWEST DEVELOPMENT, the sum of \$4,757.82. plus interest at the rate of six percent (6%) per annum on the outstanding balance from September 12, 2005, until judgment, plus reasonable attorney's fees in the amount of \$1,425.00, plus WKT interest at five percent (5%) per annum, from date of judgment, until paid, plus all costs of Court

expended, for all of which let execution issue. In addition, Plaintiff is entitled to recover reasonable attorney's fees in the amount of \$2,500.00 in the event of each unsuccessful appeal by Defendant to the Court of Appeals, and/or Supreme Court, or filing of a bankruptcy action. It is also so ORDERED that this judgment finally disposes of all parties and all claims and is appealable

SIGNED this 30 day of March, 2009.



JUDGE PRESIDING