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NO. 2006-04144

SONIA'S WORLD OF DANCE, L.L.C.

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IN THE DISTRICT COURT

V.

189TH JUDICIAL DISTRICT

JEPHERY BURNETT AND
J.B.CONTRACTORS &
DEVELOPMENT, L.L.C.

HARRIS COUNTY, TEXAS

AGREED FINAL ORDER AND JUDGMENT

On the 10th day of October, 2008 the Court heard the parties recitation of their Agreed Final Order and Judgment.

FILED
Loren Jackson
District Clerk

Appearances

NOV 21 2008
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Plaintiff, Sonia's World of Dance, L.L.C., appeared ~~in person and through~~ attorney of record, James Horwitz, and has agreed to the terms of this order as evidenced by Plaintiff's signature below.

Defendants, JEPHERY BURNETT and J.B. CONTRACTORS & DEVELOPMENT, L.L.C., appeared through attorney of record, Christopher Dupuy, and have agreed to the terms of this order as evidenced by both Defendants' signature below.

Jurisdiction


The Court, after examining the record and hearing the evidence and argument of counsel, finds that all necessary prerequisites of the law have been legally satisfied and that the Court has jurisdiction of this case and of all the parties. All persons entitled to citation were properly cited.

Proceedings

All matters of law and of fact were submitted to the Court, and the Court heard the evidence and considered the pleadings and argument of counsel.

Record

The record of testimony was duly reported by the court reporter for the 189th Judicial District Court.

Initials:  _____

Findings

The Court finds that the parties have agreed that the amount of Seventy-Five Thousand (\$75,000.00) and No/100 Dollars be awarded as a final judgment in favor of Plaintiff, Sonia's World Of Dance, L.L.C. and against Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally as damages which were proximately caused by Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, obtaining money from Plaintiff by false pretenses, false representations, and actual fraud.

The Court further finds that the parties have agreed that a final judgment for attorney's fees totaling Five Thousand Three Hundred (\$5,000.00) and No/100 Dollars be assessed against Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally.

The court further finds that the parties have agreed that all costs of court shall be paid by Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally.

Additionally, the Court finds that the parties have agreed that Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, pay Plaintiff, Sonia's World Of Dance, LLC post judgment interest on any unpaid judgment sums as set forth herein at the rate of 8.25% per annum beginning February, 18, 2008 until paid in full.

The Court further finds that the parties have agreed that all sums of money owed by Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally shall be due on or before the thirtieth day after entry of this agreed order.

Judgment

THEREFORE, IT IS ORDERED that judgment is entered in the amount of Seventy-Five Thousand (\$75,000.00) and No/100 Dollars in favor of Plaintiff, Sonia's World Of Dance, L.L.C. and against Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, as damages which were proximately caused by Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, obtaining money from Plaintiff, Sonia's World Of Dance, L.L.C., by Defendants' false pretenses, false representations, and actual fraud, and

therefore Defendants and as a result of said judgment, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, are ORDERED to pay Seventy-Five Thousand (\$75,000.00) and No/100 Dollars to Plaintiff, Sonia's World Of Dance, L.L.C. on or before the thirtieth day after entry of this agreed order by making payment by cash, cashier's check, or money order, directly to Plaintiff, Sonia's World Of Dance, L.L.C. c/o James Horwitz, Attorney At Law, at 4109 Caroline, Houston, TX 77004.

IT IS FURTHER ORDERED that judgment is entered in the amount of Five Thousand Hundred (\$5,000.00) and No/100 Dollars in favor of Plaintiff, Sonia's World Of Dance, L.L.C. and against Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, as attorney's fees. IT IS FURTHER ORDERED that Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, are to pay said attorney fees on or before the thirtieth day after entry of this agreed order by cash, cashier's check, or money order, directly to James Horwitz, Attorney At Law, at 4109 Caroline, Houston, TX 77004. IT IS FURTHER ORDERED that the attorney may enforce this order for fees, in the attorney's own name.

IT IS FURTHER ORDERED that Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, are to pay all costs of court to Plaintiff, Sonia's World Of Dance, L.L.C.

IT IS FURTHER ORDERED that Defendants, Jephery Burnett and J.B. Contractors & Development, LLC., jointly and severally, pay Plaintiff, Sonia's World Of Dance, LLC post judgment interest on any unpaid sums set forth above at the rate of 8.25% per annum beginning February, 18, 2008 until paid in full.

Relief Not Granted

All relief requested and not expressly granted is denied.

SIGNED on November 21, 2008


JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

James Horwitz, PC
4109 Caroline
Houston, TX 77004
Tel: (713) 521-0373
Fax: (713) 521-2271

Dupuy & Associates, P.C.
2600 South Shoe Blvd., Suite 300
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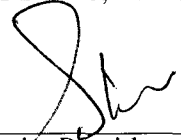
By: 
James Horwitz
Attorney for Plaintiff
TBA # 0025700

By: _____
Christopher Dupuy
Attorney for Defendants
TBA # 24055514

APPROVED AS TO FORM AND SUBSTANCE:

Sonia's World of Dance, L.L.C., Plaintiff

J.B. Contractors & Development, L.L.C.,
Defendant

By: 
Sonia Davis, President

By: _____
Jephery Burnett, President

Jephery, Burnett, individually, Defendant