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ATTORNEYS

<p>DISTRICT COURT, BOULDER COUNTY, STATE OF COLORADO</p> <p>1777 6th Street Boulder, Colorado 80302 (303) 441-3750</p> <hr/> <p>Plaintiff: Hepburn Ingham</p> <p>Defendants: Todd D. Burke and Kirstin Burke</p> <hr/> <p>Michael E. Lindsay, #15126 Leslie A. Tuft, #34671 Ballard Spahr Andrews & Ingersoll, LLP 1225 17th Street, Suite 2300 Denver, Colorado 80202 Telephone: (303) 292-2400 Facsimile: (303) 296-3956 Email: lindsay@ballardspahr.com tuft@ballardspahr.com</p>	<p>▲ COURT USE ONLY ▲</p> <hr/> <p>Case No. 2004CV570</p> <p>Division</p>
<p>DEFAULT JUDGMENT</p>	

THIS MATTER arose on Plaintiff's Motion for Default Judgment. The Court, having reviewed the same and exhibits, as well as Plaintiff's Supplemental Memorandum in Support of Motion for Entry of Default and Default Judgment and the pleadings in this action, and otherwise duly advised in the premises, finds:

1. There being no just reason for delay, default is entered and default judgment is hereby granted to plaintiff Hepburn Ingham ("Ingham") and against defendant Todd D. Burke, in the amount stated below.
2. As shown by the return of service which has been filed with this Court, Burke was served with the within Summons and Complaint on May 12, 2004.
3. Venue has been considered and is found to be proper under C.R.C.P. 98 as Burke resides in Boulder County and was served a copy of the within Summons and Verified Complaint in Boulder County.

4. This Court has personal jurisdiction over Burke as a result of his Colorado residence, his conducting business within the State of Colorado, and his ownership of real property situated within the State of Colorado.

5. Burke is neither an infant nor an incompetent person. Burke is not in the military service or subject to the Soldiers and Sailors Civil Relief Act of 1940, as amended. Burke is not an officer nor agent of the State of Colorado.

6. Ingham is entitled to recover from Burke the following amounts:

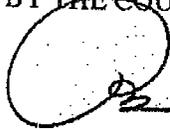
<u>Amount paid for stock May 1, 2000</u>	
Principal	\$ 100,000.00
Interest from May 1, 2000 – July 23, 2004	\$ 38,547.06
<u>Loan of November 16, 2000</u>	
Principal	\$ 150,000.00
Interest from Nov. 16, 2000 – March 15, 2003	\$ 29,561.69
Payment from Burke of March 15, 2003	\$ (30,000.00)
Interest on remaining amount due from March 15, 2003 – July 23, 2004	\$ 16,566.94
<u>Amount paid for stock February 21, 2001</u>	
Principal	\$ 150,000.00
Interest from Feb. 21, 2001 – July 23, 2004	\$ 45,317.00
<u>Loan of March 30, 2002</u>	
Principal	\$ 100,000.00
Interest from Mar. 30, 2002 – July 23, 2004	\$ 19,605.53
<u>Loan of December 30, 2002</u>	
Principal	\$ 65,000.00
Interest from Dec. 30, 2002 – July 23, 2004	\$ 8,375.38
Total of Amounts Due	\$ 692,973.60

7. The total amount due and owing by Burke to Ingham is \$692,973.60. Interest on the outstanding amount shall accrue from the date of this judgment forward at the statutory rate of 8% per annum, compounded annually.

WHEREFORE IT IS ORDERED, ADJUDGED AND DECREED that there being no just reason for delay, final judgment is hereby entered pursuant to C.R.C.P. 54(b) in favor of Hepburn Ingham and against Todd D. Burke in the principal amount of \$692,973.60, with interest accruing from the date of this judgment forward at the statutory rate of 8% per annum, compounded annually.

DATE: Sept 15, 2004

BY THE COURT:



District Court Judge



**SO
ORDERED**

Movant shall serve copies of this ORDER on any pro se parties, pursuant to CRCP 5, and file a certificate of service with the Court within 10 days.

ROXANNE BAILIN
Chief District Court Judge
DATE OF ORDER INDICATED ON ATTACHMENT

DISTRICT COURT, BOULDER COUNTY,
STATE OF COLORADO

1777 6th Street
Boulder, Colorado 80302
(303) 441-3750

Plaintiff: Hepburn Ingham

Defendants: Todd D. Burke and Kirstin
Burke

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Case No. 2004CV570

Division:

**PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE OF CLAIMS
AGAINST DEFENDANT KIRSTIN BURKE**

Pursuant to C.R.C.P. 41(a)(1)(A), plaintiff Hepburn Ingham ("Ingham") hereby dismisses without prejudice all claims raised herein by Ingham against defendant Kirstin Burke. Ingham hereby confirms that all required costs have been paid.

DATED: November 30, 2004.

Respectfully submitted,

BALLARD SPAHR ANDREWS
& INGERSOLL, LLP

By *Duly Signed Original of Michael E. Lindsay*
On File

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ATTORNEYS FOR HEPBURN INGHAM

Court: CO Boulder County District Court 20th JD

Judge: Roxanne Bailin

LexisNexis File & Serve Reviewed Filing ID: 4696360

Date: 12/3/2004

Case Number: 2004CV570

Case Name: INGHAM, HEPBURN vs. BURKE, TODD D et al

/s/ Judge Roxanne Bailin