

NORTH CAROLINA)
)
ROCKINGHAM COUNTY)

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
05 CVS 999

NANCY E. ODELL, individually and on)
behalf of those similarly situated,)
)
Plaintiff,)
v.)
)
LEGAL BUCKS, LLC, a North Carolina)
Limited Liability Company, JAMES KEITH)
TART and LYNN DAVIES TART,)
)
Defendants.)

**FINAL ORDER AND JUDGMENT
ON COUNTERCLAIM**

FILED
07 APR 30 PM 10:33
CLERK OF SUPERIOR COURT
ROCKINGHAM COUNTY, N.C.
M. W.

This matter came on for hearing before the undersigned Judge presiding over the March 19, 2007, session of Superior Court in Rockingham County upon the defendant Legal Bucks, LLC's ("Legal Bucks") Motion For Summary Judgment On Counterclaim and the Plaintiff's Motion For Partial Summary Judgment On Counterclaim. The Court, having reviewed the undisputed evidence in the record, heard the arguments of counsel and reviewed the applicable law, finds and concludes that there is no genuine issue of material fact and defendant Legal Bucks is entitled to judgment as a matter of law on its counterclaim for breach of contract and liquidated damages pursuant to the Transfer And Conveyance Of Proceeds And Security Agreement (the "Agreement") between Plaintiff and Legal Bucks, dated March 28, 2003, particularly Paragraphs 9 and 13 of the Agreement.

WHEREFORE IT IS ORDERED ADJUDGED AND DECREED AS FOLLOWS:

1. Legal Buck's Motion For Summary Judgment On Counterclaim is GRANTED, and Plaintiff's Motion For Partial Summary Judgment On Counterclaim is DENIED;
2. Plaintiff shall have and recover nothing from Defendants;

3. Legal Bucks shall have a judgment and recover from Plaintiff the sum of \$29,250.00, together with post-judgment interest at the legal rate of eight percent (8%), as allowed by N.C. Gen. Stat. § 24-5;
4. Immediately upon the filing of this judgment, the Clerk of Superior Court shall release to Legal Bucks the money deposited by the Plaintiff in this action pursuant to the Order Placing Funds In Clerk's Office dated June 15, 2005, in the principal sum of \$9,750.00, together with any interest that has accrued on that principal sum; and
5. The money released by the Clerk of Superior Court to Legal Bucks shall be considered a partial payment of this judgment, and post-judgment interest will accrue on the remaining unpaid principal of the judgment after subtracting the partial payment from the \$29,250.00 judgment.

This the 25th day of April, 2007



Anderson D. Cromer
Superior Court Judge Presiding