

OFFICE CLERK OF DISTRICT COURT  
VALLEY COUNTY  
FILED

APR 16 2018

SHELLEY BRYAN

*Shelley Bryan*  
Deputy

1 Hon. Yvonne Laird  
District Judge  
2 17<sup>th</sup> Judicial District  
P.O. Box 470  
3 Malta, MT 59538  
Telephone: (406) 654-1062  
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8 MONTANA SEVENTEENTH JUDICIAL DISTRICT COURT,  
9 VALLEY COUNTY

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10 NEW ST. MARIE, LLC, a Montana  
11 Limited Liability Company; MICHAEL  
"Mike" MITCHELL, an individual

12 Plaintiffs,

13 vs.

14 PATRICK "Pat" KELLY, an individual;  
15 DOE DEFENDANTS I through X;

16 Defendant.  
17

Hon. Yvonne Laird

Cause No. DV 14-75

**FINAL JUDGMENT**

18 This matter is before the Court on the parties' Stipulated Motion for  
19 Entry of Final Judgment. This Court entered Findings of Fact, Conclusions of Law  
20 and Judgment on February 5, 2018. The Court issued an order on costs on March  
21 20, 2018. The parties have reached a settlement agreement, under which they are  
22 stipulating to entry of judgment consistent with those prior orders. The Court  
23 having reviewed the parties' stipulation for entry of judgment and good cause  
24 appearing therefore,  
25  
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**FINAL JUDGMENT**

Page 1

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1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that final  
2 judgment is hereby entered in favor of Mike Mitchell and against Patrick Kelly in  
3 the sum of:

4	\$ 1,500,000.00	Principal lost profits <sup>1</sup>
5	\$12,000,000.00	Principal Expectancy Damages
6	\$ 34,403.62	Interest to 3/24/17
7	<u>\$ 211,359.17</u>	Interest on \$13,534,403 (amount awarded in FOF/COL) at 10% per annum from 2/5/18 to 4/6/18
8	<b>Total: \$13,745,762.80</b>	said sum to bear interest at the rate of 7.5% per annum until paid

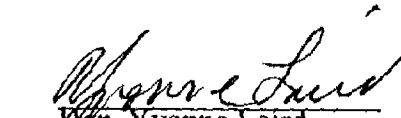
9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that final  
10 judgment is hereby entered in favor of New St. Marie, LLC and against Patrick  
11 Kelly in the sum of:

12	\$24,750.00	Principal Lost Rent on 6 Units
13	<u>\$ 386.51</u>	Interest at 10% per annum from 2/5/18 to 4/6/18
14	<b>Total: \$25,136.51</b>	said sum to bear interest at the rate of 7.5% per annum until paid

15 In addition, costs in the amount of \$948.40 are awarded jointly and  
16 severally in favor of Michael Mitchell and New St. Marie, LLC and against  
17 Patrick Kelly. Writ of execution costs charged by the court and levying fees  
18 charged by a licensed levying officer or sheriff may be added to any judgment  
19 amount as those costs are incurred. Interest shall accrue on the judgment amounts  
20 at the rate of 7.5% per annum. Plaintiff may have execution on this Judgment as  
21 allowed by law.

22 DATED this 16th day of April, 2018.

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25 cc: Reid Perkins (WT)  
Tom Singer (Axilon)

  
Hon. Yvonne Laird  
District Judge


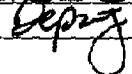
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<sup>1</sup> Awarded on Page 47 of the FOF/COL, with \$479,331 awarded in the alternative.

1 This is to certify that a copy or copies of the foregoing document, FINAL JUDGMENT,  
2 was duly served by mail upon the attorneys of record and parties of record at their addresses as  
3 shown below, by depositing the same in the United States Mail, postage prepaid this 16<sup>th</sup> day of  
April, 2018.

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5 Reid J. Perkins  
6 Attorneys at Law  
7 P.O. Box 4747  
8 Missoula, MT 59806

9 T. Thomas Singer  
10 Attorney at Law  
11 P.O. Box 987  
12 Billings, MT 59103-0987

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16  Clerk of Court  
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