

SECOND DISTRICT COURT - OGDEN  
WEBER COUNTY, STATE OF UTAH

JARED MARA et al. vs. WILLIAM H CALDWELL et al.

CASE NUMBER 200905819 Contracts

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CURRENT ASSIGNED JUDGE

NOEL S HYDE

PARTIES

Plaintiff - JARED MARA

Plaintiff - MARA MANORS LLC

Defendant - CALDWELL INVESTMENTS LLC

Represented by: BRADLEY TILT

Defendant - MOUNTAIN STANDARD CONSTRUCTION

Represented by: BRADLEY TILT

Defendant - WILLIAM H CALDWELL

Represented by: BRADLEY TILT

Defendant - PARADIGM REAL ESTATE OGDEN LLC

Represented by: BRADLEY TILT

ACCOUNT SUMMARY

Total Revenue Amount Due:	375.00
Amount Paid:	375.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S

Original Amount Due:	375.00
Amended Amount Due:	375.00
Amount Paid:	375.00
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

10-14-2020 Filed: Complaint  
10-14-2020 Case filed by efiler  
10-14-2020 Fee Account created Total Due: 375.00  
10-14-2020 COMPLAINT - NO AMT S Payment Received: 375.00  
10-14-2020 Judge NOEL S HYDE assigned.  
10-14-2020 Filed: Return of Electronic Notification  
10-23-2020 Filed return: Return of Service and Summons on Return upon  
DASON SMITH, AUTHORIZED TO ACCEPT for

Party Served: WILLAIM CALDWELL

Service Type: Personal

Service Date: October 16, 2020

Garnishee:

10-23-2020 Filed return: Return of Service and Summons on Return upon DASON SMITH, AUTHORIZED TO ACCEPT for

Party Served: MOUNTAIN STANDARD CONSTRUCTION

Service Type: Personal

Service Date: October 16, 2020

Garnishee:

10-23-2020 Filed return: Return of Service and Summons on Return upon DASON SMITH, AUTHORIZED TO ACCEPT for

Party Served: PARADIGM REAL ESTATE OGDEN LLC

Service Type: Personal

Service Date: October 16, 2020

Garnishee:

10-23-2020 Filed return: Return of Service and Summons on Return upon DASON SMITH, AUTHORIZED TO ACCEPT for

Party Served: CALDWELL INVESTMENTS LLC

Service Type: Personal

Service Date: October 16, 2020

Garnishee:

10-23-2020 Filed: Return of Electronic Notification

11-12-2020 Filed: Default Certificate (Proposed) Caldwell Investments LLC

11-12-2020 Filed: Default Certificate (Proposed) Mountain Standard Construction LLC

11-12-2020 Filed: Default Certificate (Proposed) William H. Caldwell

11-12-2020 Filed: Military Service Aff/Declaration

11-12-2020 Filed: Military Service Report

11-12-2020 Filed: Return of Electronic Notification

11-12-2020 Filed: Affidavit/Declaration Proving Damages

11-12-2020 Filed: Default Certificate (Proposed) Paradigm Real Estate Ogden LLC

11-12-2020 Filed: Default Judgment (Proposed)

11-12-2020 Filed: Exhibit A to Affidavit Proving Damages

11-12-2020 Filed: Return of Electronic Notification

11-13-2020 Filed: Default Certificate Mountain Standard Construction LLC

11-13-2020 Filed: Default Certificate William H. Caldwell

11-13-2020 Filed: Default Certificate Paradigm Real Estate Ogden LLC

11-13-2020 Filed: Default Certificate Caldwell Investments LLC

11-13-2020 Filed: Other - Not Signed Default Judgment (Proposed)

11-13-2020 Note: Default judgment entered as unsigned. Local policy requires submission of judgment information statement.

11-13-2020 Filed: Return of Electronic Notification

11-17-2020 Filed: Default Judgment (Proposed)

11-17-2020 \*\*\*\* PRIVATE \*\*\*\* Filed: Judgment Information Statement

11-17-2020 Filed: Return of Electronic Notification

11-17-2020 Note: Default judgment sent to NSH for review.

11-18-2020 Filed: Appearance of Counsel/Notice of Limited Appearance for Defendants

11-18-2020 Filed: Return of Electronic Notification  
11-18-2020 Filed: Request for Hearing on proposed Default Judgment and underlying materials  
11-18-2020 Filed: Return of Electronic Notification  
11-27-2020 Filed: Other - Not Signed Default Judgment (Proposed)  
11-27-2020 Note: A hearing is to be conducted on the determination of default damages. NSH  
11-27-2020 Filed: Return of Electronic Notification  
11-27-2020 Note: Email sent to counsel with potential dates for evidentiary hearing on default damages. 1/2 day as per NSH.  
12-03-2020 NOTICE for Case 200905819 ID 21386891  
Judge: NOEL S HYDE  
EVIDENTIARY HEARING is scheduled.  
Date: 01/06/2021  
Time: 09:00 a.m.  
Location: 3rd Floor Southeast  
SECOND DISTRICT COURT  
2525 GRANT AVENUE  
OGDEN, UT 84401  
Before Judge: NOEL S HYDE  
TO BE CONDUCTED VIA WEBEX.  
RE: Evidentiary hearing on damages requested in Default Judgment. Half-day as per Judge Noel S. Hyde.  
12-03-2020 EVIDENTIARY HEARING scheduled on January 06, 2021 at 09:00 AM in 3rd Floor Southeast with Judge NOEL S HYDE  
12-03-2020 Filed: Notice for Case 200905819 CN: Judge NOEL S HYDE  
12-04-2020 Filed: Return of Electronic Notification  
12-14-2020 Filed: Notice Regarding Remote Hearing  
12-15-2020 Filed: Return of Electronic Notification  
01-06-2021 Filed: Exhibit List Defendants Exhibits for Evidentiary Hearing  
01-06-2021 Filed: Return of Electronic Notification  
01-06-2021 Minute Entry - EVIDENTIARY HEARING  
Judge: NOEL S HYDE  
Clerk: danellez  
PRESENT  
Plaintiff's Attorney(s): MICHAEL ANDERSON  
Plaintiff's Attorney(s): RYAN SIMPSON  
Defendant's Attorney(s): BRADLEY TILT  
Audio  
Tape Number: 3C 010621 Tape Count: 9:02-1:59  
HEARING

Time set for an evidentiary hearing.  
Counsel give opening statements

9:13 a.m.  
Plaintiff's witness, Jared Mara, is sworn and testifies.

Counsel stipulate to the entry of Defendant's exhibits A, C and J.

Plaintiff's exhibit P1 (page 3 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P2 (page 4 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P3 (page 5 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P4 (page 6-7 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P5 (page 8-10 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P6 (page 11-12 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P7 (page 13-15 of exhibit A filed 11/12/20) is offered, Mr. Tilt objects, court receives.  
Plaintiff's exhibit P8 (page 16-18 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P9 (page 19-20 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P10 (page 21 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P11 (page 22-25 of exhibit A filed 11/12/20) is offered and received.  
Plaintiff's exhibit P12 (page 26 of exhibit A filed 11/12/20) is offered and received.

Defendant's exhibit A is offered and received  
Defendant's exhibit B is offered and received  
Defendant's exhibit D is offered and received  
Defendant's exhibit E is offered and received  
Defendant's exhibit J is offered and received

11:03 a.m.  
Defendant's witness, Nikki Mara is sworn and testifies.

11:04 a.m.  
Defendant's witness, Davis Jones, is sworn and testifies.

Defendant's exhibit F is offered and received  
Defendant's exhibit G is offered and received  
Defendant's exhibit H is offered and received  
Defendant's exhibit I is offered and received

11:12 a.m.  
Defendant's witness, Bill Caldwell, is sworn and testifies.

Defendant's exhibit J is offered and received

12:25 p.m.  
Plaintiffs' rebuttal witness, Jared Mara, testifies.

Counsel give closing arguments.

1:28 p.m.  
Court state's its ruling for the record.  
Court awards judgment in favor of the plaintiff against the defendant as follows.

\$28,110.00 for the roofing repair.  
\$2,005.00 for the gutters repair  
\$450.00 for the chimney repair  
\$1500.00 for the deck repair  
\$2,843.00 for the heater replacement.

\$365.00 for the pex line repair.  
\$249.00 for the wiring repairs.  
\$16,312.00 for the sewer repair.

Total judgment awarded to plaintiff against the defendant is \$52,329.00.

Mr. Anderson and Mr. Simpson shall prepare and submit an order from today's hearing for the court's signature.

Court reserves ruling on the request for attorney fees until properly brought forth under Rule 73.

- 01-14-2021 Filed: Objection to PROPOSED Judgment drafted by Plaintiffs and circulated 1-7-2021
- 01-14-2021 Filed: Return of Electronic Notification
- 02-04-2021 Filed: Notice of Withdrawal of Counsel for all Defendants
- 02-04-2021 Filed: Return of Electronic Notification
- 02-04-2021 Filed: Judgment (Proposed)
- 02-04-2021 Filed: Return of Electronic Notification
- 02-05-2021 Note: Judgment sent to NSH for review.
- 02-08-2021 Filed: NOTICE TO APPEAR OR APPOINT COUNSEL
- 02-08-2021 Filed: Return of Electronic Notification
- 02-25-2021 Filed: Order (Proposed) on Default Judgment
- 02-25-2021 Filed: Request/Notice to Submit
- 02-25-2021 Filed: Return of Electronic Notification
- 02-25-2021 Filed: Other - Not Signed Order (Proposed) on Default Judgment
- 02-25-2021 Note: Order on default judgment entered as unsigned. The order is not approved as to form, and the objection period has not expired.
- 02-25-2021 Filed: Return of Electronic Notification
- 03-05-2021 Filed judgment: Judgment  
Judge NOEL S HYDE  
Signed March 05, 2021
- 03-05-2021 Judgment # 1 Entered 52,329.00

nhyde

Creditor : JARED MARA  
 Creditor : MARA MANORS LLC  
 Debtor : WILLIAM H CALDWELL  
 Debtor : CALDWELL INVESTMENTS LLC  
 Debtor : MOUNTAIN STANDARD CONSTRUCTION  
 Debtor : PARADIGM REAL ESTATE OGDEN LLC  
 52,329.00 Principal  
 52,329.00 Judgment Grand Total

- 03-05-2021 Filed: Return of Electronic Notification
- 03-05-2021 Case Disposition is Judgment  
Disposition Judge is NOEL S HYDE
- 08-09-2021 Filed: Notice of Withdrawal
- 08-09-2021 Filed: Return of Electronic Notification