

The Order of the Court is stated below:

Dated: February 14, 2024

04:43:15 PM

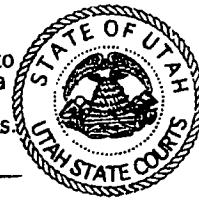
/s/ SEAN PETERSEN

District Court Judge



Walter T. Keane - 10333
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Counsel for plaintiff

STATE OF UTAH
COUNTY OF *Utah*
I hereby certify that the document to
which this certificate is attached is a
full, true and correct copy of the
original filed in the Utah State Courts.
WITNESS my hand and seal
this 19 day of January
2024
DISTRICT/JUVENILE COURT
JP



CLERK

IN THE FOURTH JUDICIAL DISTRICT COURT UTAH COUNTY, PROVO COURTHOUSE, STATE OF UTAH	
8072 a Series of Grand Holdings LLC, a series of a Utah limited liability company Plaintiff, -vs- Brian Kunz, an individual, And Padjumber, LLC, a Utah limited liability company, Defendants	Final Judgment Case No.: 230400437 Judge: Hon. SEAN PETERSEN ENT 17406 2024 PG 1 of 6 ANDREA ALLEN UTAH COUNTY RECORDER 2024 Mar 19 02:06 PM FEE 40.00 BY KR RECORDED FOR KEANE LAW PLLC

1. On December 21, 2023, this Court entered partial summary judgment in favor of the plaintiff and against the defendant for breach of the Padjumper Note and Kunz Guarantee, the amended complaint's first and second causes of action, respectively. Dkt No. 72.
2. The third and fourth causes of action are based on alleged breaches of the covenants of good faith and fair dealing inherent in the Padjumper Note and Kunz Guarantee. Because the Court granted summary judgment for their breach, the third and fourth causes of action are dismissed; the plaintiff does not object. No other claims or counterclaims exist.
3. On January 29, 2024, the plaintiff brought a motion for damages, attorney's fees, and costs according to the terms of the Note and Guarantee. Dkt No. 74.



4. Per Rule 7(d)(1), URCP, the defendants had until February 12, 2024, to oppose the motion, but no opposition has been filed.

The total damages amount to \$94,417.11. No defendant disputed the damages calculation in the motion for summary judgment or the motion for damages, fees, and costs.

5. The defendants have not challenged the plaintiff's damages calculation in its motion for summary judgment (Dkt No 26) or motion for damages, fees, and costs. Dkt No. 74.

6. The calculation of damages, noting the total amount owed as of the date the Court entered the judgment, is \$94,417.11.

The terms of the Note and Guarantee allow for the recovery of attorney's fees, interest, and penalties. The fees of \$7,521.15 and costs of \$757.90 are not unreasonable and not disputed by the defendants.

7. The Note and Guarantee allow the recovery of attorney's fees and costs. See Dkt Nos. 27 and 28.

8. The plaintiff's counsel pointed to an April 2023 article, "Lawyer Hourly Rate & Fees by State," which cites a Statista report citing the "Average Hourly Rate" for Utah attorneys in 2021 and 2022 was \$251 and \$260.

9. The plaintiff's counsel's hourly rate is \$285. He was licensed to practice law in Illinois in 1999 and Utah in 2004. He has been actively engaged in law for over fifteen years.

10. The plaintiff's counsel spent 25.39 hours prosecuting the case; he spent another hour researching and drafting this motion. Total fees are \$7,521.15. The cost to serve the defendants and the filing fee total \$757.90. A spreadsheet describing the work, performance date, and time billed was attached to the plaintiff's motion. Dkt No. 74.

11. The defendants have not contested the amount of the plaintiff's fees and costs. The plaintiff's fees and costs are not unreasonable. The Padjumper Note and Kunz Guarantee allow the plaintiff to recover fees and costs, which are added to the judgment.

Final Judgment

12. Judgment is entered in favor of the plaintiff and against the defendants jointly and severally for \$94,417.11 for principal, interest, and penalties, plus \$7,521.15 for attorney's fees and \$757.90 for costs for a total judgment of \$102,696.16.

13. All of the plaintiff's claims have been adjudicated. There are no counterclaims. No other order is necessary. This is the FINAL JUDGMENT of the Court.

End of Order

Per Utah R. Civ. P. 10(e) and Utah State District Courts E-filing Standard No. 4, this Order does not bear the handwritten signature of a court official but instead displays an electronic signature at the top of the first page of this Order.

Certificate of Service

On February 14, 2024, this document was filed with the Court's e-filing system. A return of electronic notification will be generated noting the service of these documents on the defendants' counsels via email.

Date: February 14, 2024

/s/ Walter T. Keane
By: Walter T. Keane

Judgment Information Statement

(Utah Code 78B-5-201.) (This document is not filed with the court. It is filed with the county recorder.)

My name is Walter Keane attorney for 8072 a Series of Grand Holdings, LLC who is the judgment creditor in the following court case:

Case name (Example: Party v. Party)	8072 a Series of Grand Holdings, LLC v. Brian Kunz and Padjumper, LLC
Case number	230400437
Court name and county (Example: Third District Court, Tooele County)	Fourth District Court, Utah County

I provide the following information in compliance with Utah Code Section 78B-5-201.

1. The correct name of the judgment debtor is Brian Kunz.
2. The correct last known address of the judgment debtor is: 769 Ranch Cir., Alpine , UT 84004.
3. The address at which the judgment debtor received service of process is: 69 Ranch Cir., Alpine , UT 84004.
4. The judgment debtor is (choose one): Brian Kunz

a natural person, and (if known)

Last four digits of Social Security Number	
Date of birth	
Driver license number	

is not a natural person (For example, a business.).

5. The name of the judgment creditor is: 8072 a Series of Grand Holdings, LLC.
6. The amount of the judgment is: \$ 102,696.16.

7. The judgment was entered on February 14, 2024.

8. The judgment (Choose one.):

has been stayed and the stay expires on _____ (date).
 has not been stayed.

9. The judgment creditor has reviewed their records, the records of their attorney (if there is one), and the records of the court in which the judgment was entered. Any information required by law but not provided by this statement is unknown and unavailable. (Utah Code 78B-5-201.)

Plaintiff/Petitioner or Defendant/Respondent

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date _____ Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date 3/19/24 Signature ► 
Printed Name Walter T. Keane, UT Bar No. 10333