

Judgment Page 1 of 7
Russell Shirts Washington County Recorder
04/13/2020 09:43:17 AM Fee \$40.00 By
PARSONS BEHLE & LATIMER

The Order of the Court is stated below:

Dated: March 24, 2020 vs/ JAMES GARDNER
05:25:35 PM District Court Judge



Zack L. Winzeler, USB 12280
John L. Cooper, USB 16025
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STATE OF UTAH
COUNTY OF SALT LAKE
I, Salt Lake
do hereby certify that the document in
which this certificate is attached is a
true and correct copy of the
original filed in the Utah State Courts
WITNESS my hand and seal
this 7 day of April
20
DISTRICT JUVENILE COURT



Attorneys for Gordon E. Harmston, Jr. and Katherine Louise Mason Harmston, as
Trustees of the Gordon E. Harmston Jr. Trust

IN THE THIRD JUDICIAL DISTRICT COURT
FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

GORDON E. HARMSTON, JR. and
KATHERINE LOUISE MASON
HARMSTON, as Trustees of the Gordon E.
Harmston Jr. Trust,

Plaintiff,

vs.

JAY A. RICE, an individual, and RICE ASSET
MANAGEMENT, I.L.C dba JAR REAL
ESTATE DEVELOPMENT, a Utah limited
liability company,

Defendants.

JUDGMENT

Civil No. 180905244

Judge James Gardner

Tier 1

On January 3, 2020, a one-day bench trial in this case was held at the Third District
Court, West Jordan District, Salt Lake County, State of Utah, with the Honorable Judge James
Gardner presiding. Plaintiffs Gordon E. Harmston, Jr. and Katherine Louise Mason Harmston,
as Trustees of the Gordon E. Harmston Jr. Trust ("Plaintiffs" or the "Trust") appeared personally
and were represented at trial by their attorney John L. Cooper of Parsons Behle & Latimer.

Defendants Jay R. Rice and Rice Asset Management, LLC dba JAR Real Estate Development (“JAR”), (collectively “Defendants”) were represented at trial by their attorney Aaron M. Reed of the Law Office of Aaron M. Reed. Mr. Rice appeared personally and as a representative of JAR.

The Court having fully considered the evidence presented at trial and the arguments of the parties, ruled in favor of Plaintiffs. On February 6, 2020, the Court entered its Findings of Fact and Conclusions of Law. The Court found that the Trust was entitled to damages in the amount of \$50,000.00, pre and post judgment interest, and, as the prevailing party, to an award of attorney fees.

Based on the Court’s Findings of Fact and Conclusions of Law, the Trust was awarded \$50,000 in damages before prejudgment interest. With prejudgment interest accruing from January 26, 2018, to March 11, 2020, the total amount of prejudgment interest, calculated at a rate of 10% per annum pursuant to Utah Code Ann. 15-1-1(2), is \$10,614.75.

On March 10, 2020, the Court entered its Findings of Fact, Conclusions of Law, and Order on Attorneys’ Fees and Costs (“Findings and Conclusions on Attorney Fees”). In the Court’s Findings and Conclusions on Attorney Fees, the Court concluded that the Trust is entitled to attorney fees in the amount of \$54,940.50 and costs in the amount of \$3,273.22, for total fees and costs of \$58,213.72. The Court also concluded that pursuant to its December 13, 2019 Order, Defendant Jay Rice remains jointly liable with JAR for \$1,955.30 of the \$58,213.72.

Consistent with the Court’s (1) Findings and Conclusions of Law and (2) Findings and Conclusions on Attorney Fees, and for good cause appearing, the Court hereby ORDERS that:

1. Judgment is entered in favor of Gordon E. Harmston, Jr. and Katherine Louise

Mason Harmston, as Trustees of the Gordon E. Harmston Jr. Trust, in the amount of **\$118,828.47**, which includes **\$50,000.00** in damages, **\$10,614.75** in prejudgment interest, and **\$58,213.72** in attorney fees and costs against Rice Asset Management, LLC dba JAR Real Estate Development.

2. Defendant Jay R. Rice is jointly liable with Defendant JAR for **\$1,955.30** of the total amount of attorney fees and costs of \$58,213.72 included in this Judgment.
3. Post judgment interest shall be calculated at the above rate from the date of this Judgment through the date of full collection of this Judgment.
4. All claims and liabilities as to all parties having now been adjudicated. This Judgment constitutes the Final Judgment of this Court in this matter.

IT IS SO ORDERED.

In accordance with the Utah State District Courts E-filing Standard No. 4 and URCP Rule 10(e), this Order does not bear the handwritten signature of the Judge, but instead displays an electronic signature at the top of the first page of this Order.

Approved as to form on March __, 2020.

LAW OFFICE OF AARON M. REED

/s/ NO PERMISSION RECEIVED

Aaron M. Reed

Attorney for Defendants Jay R. Rice and Rice Asset Management, LLC dba JAR Real Estate Development

(Electronically signed with permission of counsel by email)

CERTIFICATE OF SERVICE

I certify that, on March 23, 2020, I caused the foregoing (proposed) **JUDGMENT** to be electronically filed using the Court's electronic GreenFiling system, which causes notice of the filing to be sent to counsel of record.

/s/ John L. Cooper

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Attorneys for Plaintiffs Gordon E. Harmston, Jr. and Katherine Louise Mason Harmston, as Trustees of the Gordon E. Harmston Jr. Trust

**IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

GORDON E. HARMSTON, JR. and
KATHERINE LOUISE MASON
HARMSTON, as Trustees of the Gordon E.
Harmston Jr. Trust,
Plaintiffs,

JAY A. RICE, an individual, and RICE ASSET
MANAGEMENT, LLC dba JAR REAL
ESTATE DEVELOPMENT, a Utah limited
liability company,

Defendants.

**JUDGMENT INFORMATION
STATEMENT**

Civil No. 180905244

Judge James Gardner

Tier 1

1. Plaintiffs in this action, as judgment creditors, provide the following information in compliance with Utah Code Ann. Section 78B-5-201.

2. The correct names and last known addresses of judgment debtors are as follows:

Rice Asset Management, LLC
dba JAR Real Estate Development
4968 S Holladay Pines Ct
Holladay, UT 84117

Jay R. Rice
4968 S Holladay Pines Ct
Holladay, UT 84117

3. The judgment debtors received service of process through their attorney by email at the below listed email address:

Aaron M. Reed
LAW OFFICE OF AARON M. REED
2180 East 4500 South #125
Holladay, Utah 84117
aaronreed.esq@gmail.com

The judgment debtors also received service of process at the following address:

4968 S Holladay Pines Ct
Holladay, Utah 84117

4. The judgment creditors are Gordon E. Harmston, Jr. and Katherine Louise Mason Harmston, as trustees of the Gordon E. Harmston Jr. Trust c/o Parsons Behle & Latimer, 201 South Main Street, Suite 1800, Salt Lake City, Utah 84111, Attn: John L. Cooper.

5. Judgment is entered against Rice Asset Management, LLC dba JAR Real Estate Development in the amount of \$118,828.47, with Jay R. Rice jointly liable for \$1955.30 of the Judgment amount, plus post-judgment interest pursuant to Utah Code § 15-1-4(3)(a) at a rate of 3.53% until paid, and continuing fees for collection.

6. The Judgment was entered on March 24, 2020 in the Third District Court, Salt Lake County, Utah.

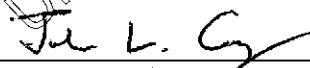
7. One of the judgment debtors, Jay R. Rice, is a natural person. Mr. Rice's month and year of birth are November/1954. The last four digits of Mr. Rice's social security number are 5761. His driver's license number is unknown.

8. No stay of enforcement of the Judgment has been ordered by the Court.

9. Information required by Utah Code § 78B-5-201 but not provided in this statement is unknown or unavailable.

DATED April 10, 2020

PARSONS BEHLE & LATIMER



Zack L. Winzeler

John L. Cooper

Attorney for Plaintiffs Gordon E. Harmston, Jr. and Katherine Louise Mason Harmston, as Trustees of the Gordon E. Harmston Jr. Trust