



ENT 4797:2025 PG 1 of 7
ANDREA ALLEN
UTAH COUNTY RECORDER
2025 Jan 23 08:56 AM FEE 40.00 BY AS
RECORDED FOR ASPEN LEGAL SERVICES LLC

Kregg Wallace (16222)
Aspen Legal Services, LLC
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Sandy, Utah 84094
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Attorney for Plaintiffs

The Order of the Court is stated below:

Dated: December 06, 2024

01:45:24 PM

/s/ ROBERT LUND
District Court Judge



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.

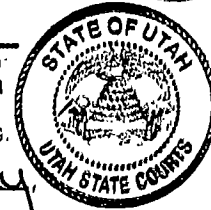
WITNESS my hand and seal

this 22 day of January

20 25

DISTRICT/JUVENILE COURT

Braylee Bayless CLERK



IN THE FOURTH DISTRICT COURT

IN AND FOR UTAH COUNTY-PROVO

137 North Freedom Blvd, Provo, UT 84601

BENJAMIN PETERSON, an individual;
KALLIE PETERSON, an individual,
Plaintiffs,

v.

COLTON KESTLE, an individual; and
STABLE HOME COMPANY, a Utah limited
liability company,
defendants.

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER ON MOTION
TO ENFORCE SETTLEMENT
AGREEMENT**
(Colton Kestle)

Case Number: 240404696

Judge: Robert Lund

A hearing was not held on this matter. This Order shall apply to the Defendant **Colton Kestle** only, as it is the only defendant to have entered into a settlement agreement with the Plaintiffs.

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The Court Finds:

1. The Plaintiffs' own real property located at 158 North Quail Ridge Drive, Eagle Mountain, Utah 84005.
2. On or about March 19, 2024, the Plaintiffs were given a quote by the defendants for the finishing of their unfinished basement at their home.
3. The defendants commenced the finishing of the basement on or about May 7th, 2024. An initial time frame of five (5) weeks was given to complete the project from the start date. The Plaintiffs paid the requested fifty percent (50%) initial payment of \$18,917 via wire transfer on 4/25/24. They also paid the defendants \$3,542 via wire transfer on 5/31/24 for drywall; and \$7,003 for doors, trim and paint split up between \$2,500 via

Order on Mot. to Enf. Settlmt.

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Venmo on 6/23, \$1,000 via Venmo on 6/24 and \$3,503 via wire transfer on 6/26. The total that they have paid the defendants is \$29,462.

4. Framing was completed on 5/7/24 with mistakes that remain uncorrected. Mistakes include two (2) walls that were not positioned correctly and the stud spacing being incorrect. The concrete floor was leveled and cracks filled in on 5/17/24 that the defendant contractors agreed cost \$2,000. For the entire months of June and July, the Plaintiffs were told that crews would be sent to their home but no one ever showed up. No other work has been done beyond attaching a few outlet boxes to the studs and drilling a few holes in the studs for wires, which the defendant Colton Kestle, performed during that time. The Plaintiffs possess recorded conversations with the defendant Colton Kestle where he admitted that the total amount of work that had been completed was approximately \$5,300.

5. Additionally, the defendants do not possess the appropriate licensing to be engaged in this type of construction activity. The defendant, Colton Kestle was previously a licensed electrician in the state of Utah. However, that license expired on 11/30/2022.

6. The defendant, Colton Kestle, executed a settlement in this case and stipulated to judgment in the event that he failed to comply with the agreement.

7. The Court finds that the Defendant Colton (only) owes the Plaintiffs \$24,162.00.

8. Colton Kestle has not paid any amount to the Plaintiffs.

The Court Concludes:

9. Colton Kestle has failed to return the Plaintiff's money nor complete the job as agreed upon. As such, the defendant Colton Kestle has breached the contract.

10. Colton Kestle owes creditor \$ 24,162.00 plus additional attorney fees and costs.

11. The Plaintiffs are entitled to judgment in accordance with the Settlement Agreement.

12. The Plaintiffs are entitled to costs in the amount of \$ 775.00, attorney fees in the amount of \$3,958.50 and a collection fee of \$2,120.00. Attorney fees and costs may increase as this matter continues.

The Court Orders:

13. Judgment in this case be and hereby is entered in favor of the Plaintiffs and against debtor Colton Kestle(only) for \$ 31,015.50 plus interest at 8 % interest per year (the current state post-judgment rate).

14. The Court further orders:

Judge's signature may instead appear at the top of the first page of this document.

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of December 2024, a true and correct copy of the foregoing was filed with the court via the Utah State Court's electronic filing system, which caused the same to be served on all counsel of record. Additionally, the defendants were served by email at ckestle36@gmail.com.

/s/ Kregg Wallace

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 Benjamin Peterson and Kallie Peterson and I am the judgment creditor in the following court case:

Case name (Example: Party v. Party)	BENJAMIN PETERSON et al. vs. COLTON KESTLE et al.
Case number	240404696
Court name and county (Example: Third District Court, Tooele County)	FOURTH JUDICIAL DISTRICT - PROVO DISTRICT COURT - Provo District Court

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

- The correct name of the judgment debtor is
COLTON KESTLE
- The correct last known address of the judgment debtor is:
249 N. Cannavale Ct
Saratoga Springs, UT 84045.
- The address at which the judgment debtor received service of process is:
249 N. Cannavale Ct
Saratoga Springs, UT 84045.
- The judgment debtor is (choose one):
☐ 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: COLTON KESTLE.
 6. The amount of the judgment is: \$ 31,437.48,
 7. The judgment was entered on: December 06, 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

Signature ► _____
Printed Name _____

EXHIBIT A

Property 1:

Lot 1208, Plat "L", QUAILHILL AT MT. SARATOGA, Saratoga Springs, Utah, according to the Official Plat thereof as recorded in the Office of the Utah County Recorder, State of Utah.

FOURTH JUDICIAL DISTRICT - PROVO DISTRICT COURT
UTAH COUNTY, STATE OF UTAH

BENJAMIN PETERSON et al. vs. COLTON KESTLE et al.

CASE NUMBER 240404696 Contracts

CURRENT ASSIGNED JUDGE
KASEY L WRIGHT

PARTIES

Plaintiff - KALLIE PETERSON
Represented by: KREGG WALLACE
Represented by: JOSHUA BRIMHALL

Plaintiff - BENJAMIN PETERSON
Represented by: KREGG WALLACE
Represented by: JOSHUA BRIMHALL

Defendant - COLTON KESTLE

Defendant - STABLE HOME COMPANY

ACCOUNT SUMMARY

Total Revenue Amount Due:	475.00
Amount Paid:	475.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COMPLAINT 10K-MORE

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

REVENUE DETAIL - TYPE: GARNISHMENT

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: GARNISHMENT

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

09-26-2024 Case filed by efiler
09-26-2024 Fee Account created Total Due: 375.00
09-26-2024 COMPLAINT 10K-MORE Payment Received: 375.00
09-26-2024 Judge ROBERT LUND assigned.
09-26-2024 Filed: Complaint
09-26-2024 Filed return: Summons on Return
Party Served: COLTON KESTLE
Service Type: Personal
Service Date: September 21, 2024
Garnishee:
09-26-2024 Filed return: Return of Service
Party Served: COLTON KESTLE
Service Type: Personal
Service Date: September 21, 2024
Garnishee:
09-26-2024 Filed: Return of Electronic Notification
10-01-2024 Case Disposition is Stipulated Agreeemnt
Disposition Judge is ROBERT LUND
10-01-2024 Filed: Settlement Agreement
10-01-2024 Filed: Stipulated Agreement with Additional Signature
10-01-2024 Filed: Return of Service Stable Home Summons and Complaint
10-01-2024 Filed: Return of Electronic Notification
10-07-2024 Filed: Motion to Enforce Settlement Agreement
Filed by: BENJAMIN PETERSON et al.
10-07-2024 Filed: Return of Electronic Notification
10-21-2024 Filed: Request/Notice to Submit
10-21-2024 Filed: Findings of Fact/Conclusions of Law (Proposed)
10-21-2024 Filed: Return of Electronic Notification
10-23-2024 Filed: Motion for Default Judgment
Filed by: BENJAMIN PETERSON et al.
10-23-2024 Filed: Military Service Aff/Declaration
10-23-2024 Filed: Request/Notice to Submit
10-23-2024 Filed: Motion for Default Certificate
Filed by: BENJAMIN PETERSON et al.
10-23-2024 Filed: Affidavit of Attorney Fees and Costs
10-23-2024 Filed: Default Certificate (Proposed)
10-23-2024 Filed: Order (Proposed) Findings of fact, Conclusions of Law,
and Order
10-23-2024 Filed: Order (Proposed) Military Service Order
10-23-2024 Filed: Return of Electronic Notification
10-23-2024 Filed: Client Invoices in Support of Attorney Fees
10-23-2024 Filed: Client Invoice in Support of Attorney Fees
10-23-2024 Filed: Return of Electronic Notification
10-24-2024 Filed order: Order Military Service Order
Judge ROBERT LUND
Signed October 24, 2024
10-24-2024 Filed: Return of Electronic Notification
10-28-2024 Filed: Other - Not Signed Default Certificate (Proposed)
10-28-2024 Note: Return of Service is blank

10-28-2024 Filed: Other - Not Signed Order (Proposed) Findings of fact, Conclusions of Law, and Order

10-28-2024 Filed: Other - Not Signed Findings of Fact/Conclusions of Law (Proposed)

10-28-2024 Filed: Return of Electronic Notification

10-28-2024 Filed: Return of Electronic Notification

10-28-2024 Filed: Return of Electronic Notification

10-30-2024 Filed return: Return of Service
Party Served: COLTON KESTLE
Service Type: Personal
Service Date: September 24, 2024
Garnishee:

10-30-2024 Filed: Default Certificate (Proposed)

10-30-2024 Filed: Findings of Fact/Conclusions of Law (Proposed)

10-30-2024 Filed: Return of Electronic Notification

10-30-2024 Filed: Request/Notice to Submit

10-30-2024 Filed: Findings of Fact/Conclusions of Law (Proposed)

10-30-2024 Filed: Return of Electronic Notification

11-04-2024 Filed: Other - Not Signed Default Certificate (Proposed)

11-04-2024 Note: The date of service indicated on the certificate differs from that on the return of service.

11-04-2024 Filed: Other - Not Signed Findings of Fact/Conclusions of Law (Proposed)

11-04-2024 Filed: Other - Not Signed Findings of Fact/Conclusions of Law (Proposed)

11-04-2024 Filed: Return of Electronic Notification

11-04-2024 Filed: Return of Electronic Notification

11-04-2024 Filed: Return of Electronic Notification

11-14-2024 Filed: Default Certificate (Proposed)

11-14-2024 Filed: Findings of Fact/Conclusions of Law (Proposed)

11-14-2024 Filed: Return of Electronic Notification

11-14-2024 Filed: Other - Not Signed Default Certificate (Proposed)

11-14-2024 Note: The date of service on the return of service is still different than the date of service on the default certificate.

11-14-2024 Filed: Return of Electronic Notification

11-14-2024 Filed return: Return of Service
Party Served: STABLE HOME COMPANY
Service Type: Personal
Service Date: September 30, 2024
Garnishee:

11-14-2024 Filed: Default Certificate (Proposed)

11-14-2024 Filed: Findings of Fact/Conclusions of Law (Proposed)

11-14-2024 Filed: Return of Electronic Notification

11-25-2024 Filed return: Return of Service Stable Home Updated Declaration of Service upon STABLE HOME for
Party Served: STABLE HOME COMPANY
Service Type: Personal
Service Date: September 30, 2024
Garnishee:

11-25-2024 Filed: Return of Electronic Notification

11-27-2024 Filed: Default Certificate

11-27-2024 Filed: Return of Electronic Notification

12-01-2024 Filed: Findings of Fact/Conclusions of Law
Judge ROBERT LUND

Signed December 01, 2024

12-01-2024 Filed: Other - Not Signed Findings of Fact/Conclusions of Law (Proposed)

12-01-2024 Note: This submission is redundant.

12-01-2024 Filed: Return of Electronic Notification

12-01-2024 Filed: Return of Electronic Notification

12-02-2024 Filed: Notice of Judgment

12-02-2024 Filed: Default Certificate

12-02-2024 Filed: Return of Electronic Notification

12-03-2024 Filed: Findings of Fact, Conclusions of Law and Order on Motion to Enforce Settlement Agreement - Colton Kestle

12-03-2024 Filed: Return of Electronic Notification

12-03-2024 Filed: Findings of Fact, Conclusions of Law and Order on Motion to Enforce Settlement Agreement - Colton Kestle

12-03-2024 Filed: Return of Electronic Notification

12-03-2024 Filed: Order (Proposed) Findings of Fact, Conclusions of Law and Order on Motion to Enforce Settlement Agreement - Colton Kestle

12-03-2024 Filed: Return of Electronic Notification

12-06-2024 Case Disposition is Judgment
Disposition Judge is ROBERT LUND

12-06-2024 Filed order: Order Findings of Fact, Conclusions of Law and Order on Motion to Enforce Settlement Agreement - Colton Kestle
Judge ROBERT LUND

Signed December 06, 2024

12-06-2024 Filed: Return of Electronic Notification

12-09-2024 Filed: Motion (Hearing Requested) Ex Parte Motion for Hearing to Discover Defendant s Property - Stable Home
Filed by: BENJAMIN PETERSON et al.

12-09-2024 Filed: Answers to Questions About Judgment Debtor s Property - Stable Home

12-09-2024 Filed: Motion (Hearing Requested) Ex Parte Motion for Hearing to Discover Defendant s Property- Colton Kestle
Filed by: BENJAMIN PETERSON et al.

12-09-2024 Filed: Answers to Questions About Judgment Debtor s Property - Colton Kestle

12-09-2024 Filed: Return of Electronic Notification

12-09-2024 Filed: Return of Electronic Notification

12-11-2024 Filed: Notice of Judgment - Colton Kestle

12-11-2024 Filed: Return of Electronic Notification

01-06-2025 Judge KASEY L WRIGHT assigned.

01-14-2025 Filed: Order (Proposed) Debtor to Attend Hearing to Identify Judgment Debtor s Property for Colton

01-14-2025 Filed: Order (Proposed) Debtor to Attend Hearing to Identify Judgment Debtor s Property for Stable Home

01-15-2025 Filed: Return of Electronic Notification

01-22-2025 Filed order: Order Debtor to Attend Hearing to Identify Judgment Debtor s Property for Stable Home
Judge KASEY L WRIGHT

Signed January 22, 2025

01-22-2025 Filed: Return of Electronic Notification

01-22-2025 Filed order: Order Debtor to Attend Hearing to Identify Judgment Debtor s Property for Colton
Judge KASEY L WRIGHT

Signed January 22, 2025

01-22-2025 Filed: Return of Electronic Notification

01-24-2025	Judgment # 1 Entered 31,015.50	emilyep
	Creditor : BENJAMIN PETERSON	
	Creditor : KALLIE PETERSON	
	Debtor : COLTON KESTLE	
	Debtor : STABLE HOME COMPANY	
	24,162.00 Principal	
	3,958.50 Attorneys Fees	
	2,120.00 Collection Costs	
	775.00 Other	
	31,015.50 Judgment Grand Total	
01-27-2025	Filed: Application for Writ of Garnishment	
01-27-2025	Filed: Writ of Garnishment - Non Wage (Proposed)	
01-28-2025	Cancelled: WEBEX SUPPLEMENTAL ORDER scheduled on February 25, 2025 at 02:30 PM in 7th Fl, Courtroom 7A with Judge KRAIG POWELL	
01-29-2025	Filed: Return of Electronic Notification	
01-29-2025	Filed: Affidavit/Declaration Unsworn Declaration of Service - SHC	
01-29-2025	Filed: Affidavit/Declaration Unsworn Dec. of Service - CK	
01-29-2025	Filed: Return of Electronic Notification	
02-03-2025	Filed: Other - Not Signed Writ of Garnishment - Non Wage (Proposed)	
02-03-2025	Note: Judge listed on documents does not match the Judge currently assigned to this case.	
02-03-2025	Filed: Return of Electronic Notification	
02-19-2025	Filed: Order (Proposed) FoF, CoL Order on Mtn for Default Judgment	
02-19-2025	Filed: Return of Electronic Notification	
02-22-2025	Filed order: Order FoF, CoL Order on Mtn for Default Judgment Judge KASEY L WRIGHT Signed February 22, 2025	
02-22-2025	Filed: Return of Electronic Notification	
03-05-2025	Filed: Application for Writ of Garnishment Tephra	
03-05-2025	Filed: Application for Writ of Garnishment Uplife	
03-05-2025	Filed: Writ of Continuing Garnishment (Proposed) Tephra	
03-05-2025	Filed: Writ of Continuing Garnishment (Proposed) Uplife	
03-07-2025	Filed: Other - Not Signed Writ of Continuing Garnishment (Proposed) Tephra	
03-07-2025	Filed: Other - Not Signed Writ of Continuing Garnishment (Proposed) Uplife	
03-07-2025	Note: The order must not include a signature line and must, at the end of the document, indicate that the signature appears at the top of the first page	
03-07-2025	Filed: Return of Electronic Notification	
03-07-2025	Filed: Application for Writ of Garnishment Amended Application for Continuing Garnishment - Tephra	
03-07-2025	Filed: Application for Writ of Garnishment Amended Application for Continuing Garnishment - Uplife	
03-07-2025	Filed: Writ of Continuing Garnishment (Proposed) Amended Writ of Continuing Garnishment - Tephra	
03-07-2025	Filed: Writ of Continuing Garnishment (Proposed) Amended Writ of Continuing Garnishment - Uplife	
03-13-2025	Issued: Writ of Continuing Garnishment Amended Writ of Continuing Garnishment - Tephra	

Clerk RAELENE CHRISTENSEN

03-13-2025 Issued: Writ of Continuing Garnishment Amended Writ of Continuing Garnishment - Uplife

Clerk RAELENE CHRISTENSEN

03-13-2025 Fee Account created Total Due: 50.00

03-13-2025 Fee Account created Total Due: 50.00

03-13-2025 GARNISHMENT Payment Received: 50.00

03-13-2025 GARNISHMENT Payment Received: 50.00

03-13-2025 Filed: Return of Electronic Notification

03-24-2025 Filed: Affidavit/Declaration Served Writ of Continuing Garnishment on Tephra Solar and Roofing

03-24-2025 Filed: Return of Electronic Notification

Utah Court C

Party Details



All Parties

Case Number	Case Type	Party Name	Party Type	Birth Date
240404696	CN	COLTON KESTLE	DEF	
240404696	CN	STABLE HOME COMPANY	DEF	
240404696	CN	BENJAMIN PETERSON	PLA	
240404696	CN	KALLIE PETERSON	PLA	

Debtors

Party Name	SSN	Country	Driver License #	Driver License Expiration Date
COLTON KESTLE				
STABLE HOME COMPANY				

Creditors

Party Name
BENJAMIN PETERSON

Close

Search Results

County
UTAH
UTAH
UTAH
UTAH

County

Initiation Number

Birth Date

Birth Date

E