

FILED COPY

1 No. 5630

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COURT CLERK
LINCOLN COUNTY, NEVADA
[Signature]
DEPUTY

6 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
7 NEVADA, IN AND FOR THE COUNTY OF LINCOLN

8 * * * * *

9 SILVERHORN JOINT VENTURE,
10 Plaintiff,

11 -vs-

12 B. F. MINERALS CORPORATION,
13 A Texas Corporation,
14 Defendant.

JUDGMENT BY DEFAULT

15 Plaintiff's Motion for an Order of Entry of Judgment
16 by Default having come on regularly for hearing before this Court
17 on the 14th day of April, 1988, at the hour of 11:00 A.M.;
18 counsel for the Plaintiff, GARY D. FAIRMAN, ESQ., A Professional
19 Corporation having submitted the matter on the Motion filed on
20 February 9, 1988 together with the Points and Authorities
21 submitted by Plaintiff in support of a Motion to Compel Discovery
22 or for an Entry of Judgment by Default filed on December 18,
23 1987; no representatives of B. F. MINERALS CORPORATION,
24 Defendant, including WILLIAM FOLTA, being present in Court nor
25 any legal counsel representing the said B. F. MINERALS
26 CORPORATION and/or WILLIAM FOLTA being present in Court; the

1 Court finding that WILLIAM FOLTA, President of B. F. MINERALS
 2 CORPORATION, has failed to appear for his deposition on three
 3 separate occasions when said depositions were duly and regularly
 4 noticed pursuant to the matter rules of civil procedure and/or
 5 set by stipulation between legal counsel for the Plaintiff and B.
 6 F. MINERALS CORPORATION, Defendant's, former attorney, MICHAEL
 7 MUSHKIN, ESQ.; the Court having previously entered an Order
 8 directing the Defendant to appear at the Law offices of GARY D.
 9 FAIRMAN, ESQ., at 737 Avenue G, Ely, White Pine County, State of
 10 Nevada, on the 4th day of February, 1988; the Court finding on
 11 the basis of the Affidavit submitted by GARY D. FAIRMAN, ESQ.,
 12 that said Defendant failed to appear for said deposition as
 13 further appears from the Affidavit of Non-Appearance submitted by
 14 GLORIA JEAN SMITH, Court Reporter certified to practice in the
 15 State of Nevada; the Court finding that notice of this hearing
 16 has been duly and regularly provided by Nevada Rules of Civil
 17 Procedure to five separate addresses known to be possible
 18 addresses of Mr. WILLIAM FOLTA including the address provided by
 19 Mr. MICHAEL R. MISHKIN, ESQ., attorney for B. F. MINERALS
 20 CORPORATION and/or WILLIAM FOLTA; good cause appearing therefore,
 21 IT IS HEREBY ORDERED ADJUDGED AND DECREED that B. F.
 22 MINERALS CORPORATIONS interest be distributed proportionately to
 23 the remaining JOINT VENTURE participants thereby increasing each
 24 JOINT VENTURE participants share as follows:

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<u>PARTICIPANT</u>	<u>PERCENTAGE</u>
A. G. GALT	30.3030
RAY E. NELSON	24.2424
LEWIS CHANDLER TRUST	6.0606
HARTER & COMPANY	15.1515
WORLD HYDROCARBON, INC.	15.1515
GRADY CLARK	9.0910

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff have Judgment against said Defendant in the sum of Eleven Thousand Two Hundred Seventy Dollars (\$11,270.00) together with interest at the statutory rate from the date of service of process until paid.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff have a lien upon all interests of the Defendant in and to those certain Articles of Agreement of Silverhorn Joint Venture by virtue of the recordation of two (2) Contract Liens, one Contract Lien dated September 8, 1985, recorded in the office of the Lincoln County Recorder, State of Nevada, on the 21st day of October, 1985, in Book 68, Page 31, hereof, and a second Contract of Lien dated October 15, 1986, recorded in the Office of the Lincoln County Recorder, State of Nevada, on the first day of December, 1986, in Book 73, Page 60.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff be awarded a reasonable attorney's fee in the sum of \$ 2000.00 together with costs of suit.

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DATED this 14 day of April, 1988.

ISI Merlin H. Hoyt
DISTRICT JUDGE

Submitted by:

GARY D. FAIRMAN
A Professional Corporation
P. O. Box 5
Ely, Nevada 89301

Gary D. Fairman
GARY D. FAIRMAN, ESQ.
Attorney for Plaintiff

The document to which this certificate is attached is a full, true and correct copy of the original, on file and of record in the County Clerk's Office, Pioche, Nevada.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, this 14 day of April, 1988.

Cliff
Deputy Clerk

No. 88651

FILED AND RECORDED AT REQUEST OF
Gary D. Fairman

21 April 1988

AT 15 MINUTES PAST 4 O'CLOCK

P.M. IN BOOK 79 OF OFFICIAL

RECORDS, PAGE 424 LINCOLN

COUNTY, NEVADA.

Frank C. Hulse
COUNTY RECORDER
Frank C. Hulse