

CAUSE NO. 18-03-03200

SADDLES BLAZIN, LLC

Plaintiff,

vs.

KRG PORTOFINO, LLC

Defendant.

IN THE DISTRICT COURT

457TH JUDICIAL DISTRICT

MONTGOMERY COUNTY, TEXAS

JUDGMENT

ON THE 28TH day of March, 2022, Plaintiff, SADDLES BLAZIN, LLC, and Defendant, KRG PORTOFINO, LLC, appeared through their representatives and attorneys, announced ready for trial and submitted the matters in controversy, in fact and in law, to the Court. The Court heard the evidence and the argument of counsel and is of the opinion that judgment should be rendered for the Plaintiff.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Plaintiff is awarded and shall recover of and from the Defendant the sum of \$69,713.02, plus pre-judgment interest at a rate of 5.00% per annum, in the amount of \$17,237.26 through May 6, 2022 and \$9.55 per day thereafter until a final judgment is signed in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff is awarded and shall recover of and from the Defendant the sum of \$160,000.00 in reasonable, necessary, just, and equitable attorney's fees which are taxed as court



costs in addition to Plaintiff's other court costs taxed herein and assessed against Defendant.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff is awarded and shall recover of and from the Defendant post-judgment interest at a rate of 5.00% per annum compounded annually from the date of judgment on the entire amount of the judgment or the unpaid balance, until the judgment is paid in full, in accordance with Chapter 304 of the Texas Finance Code.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, in the event that Defendant files post-judgment motion in District Court and they are denied, an additional judgment of \$10,000.00 for attorney's fees is granted in favor of Plaintiff. In the event of an unsuccessful appeal (direct or indirect) to the Court of Appeals by Defendant, an additional judgment of \$25,000.00 is granted in favor of Plaintiff. In the event of an unsuccessful petition for discretionary review or indirect appeal to the Supreme Court of Texas by Defendant, an additional judgment of \$15,000.00 for attorney's fees is granted in favor of Plaintiff. In the event the petition for discretionary review or indirect appeal to the Supreme Court of Texas by Defendant is granted and ultimately unsuccessful, an additional judgment of \$25,000.00 for attorney's fees is granted in favor of Plaintiff. In the event that Defendant files a motion for rehearing with the Supreme Court of Texas and is denied, an additional judgment of \$5,000.00 for attorney's fees is granted in favor of Plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff shall recover its costs of court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant shall take nothing from this suit.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all writs and processes necessary for the enforcement and collection of this judgment or the costs of court may and shall issue immediately.

This judgment is final and disposes of all parties and claims in this cause. All relief not granted is denied.

SIGNED AND ENTERED on the 5/6/2022 11:22:10 AM _____

A handwritten signature in black ink, reading "Vincenzo J. Santini". The signature is written in a cursive style with a large initial "V" and a flourish at the end.

HON. VINCE SANTINI