

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRING DIVISION

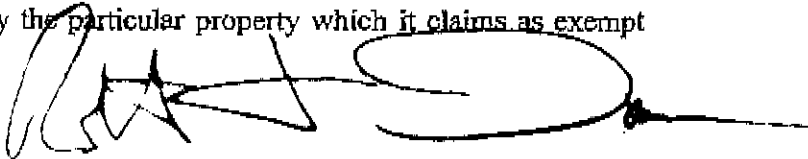
BAYSTATE BIOFUELS, LLC,	)	
Plaintiff,	)	
v.	)	C.A. No. 10-6031
PHOENIX PINNACLE BIOFUELS, LLC,	)	
Defendant.	)	
	)	

**CONSENT FINAL JUDGMENT**

Based upon the agreement of Plaintiff, Baystate Biofuels, LLC ("Baystate") and Defendant, Phoenix Pinnacle Biofuels, LLC ("Phoenix") and good cause shown, the Court, being well and sufficiently advised, hereby finds and rules as follows:

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §1332, and *in personam* jurisdiction over the parties. Venue also is proper in this Court.
2. Judgment should be and is hereby entered on all of Baystate's claims against Phoenix in the amount of \$140,000 plus attorneys fees of \$36,597.35, costs of \$350.00, and prejudgment interest at the rate of six (6%) percent per annum from March 10, 2010 until the date of entry of this Judgment, for a total Judgment of \$176,597.35 plus prejudgment interest. The total Judgment amount shall accrue post judgment interest until paid at a rate equal to the weekly average 1-year constant maturity Treasury yield for the calendar week preceding the date of this Judgment.
3. Plaintiff has waived all rights of appeal from this Consent Judgment.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that Phoenix shall within 45 days of entry of this Judgment prepare and file a schedule, verified by affidavit, of all its property, both real and personal, including monies, bank accounts, rights, credits, and choses in action held by it or others for it and specify the particular property which it claims as exempt under the provisions of the law.



IT IS SO ORDERED.

HONORABLE ROBERT DAWSON  
UNITED STATES DISTRICT JUDGE

June 7, 2010  
DATE

Approved:

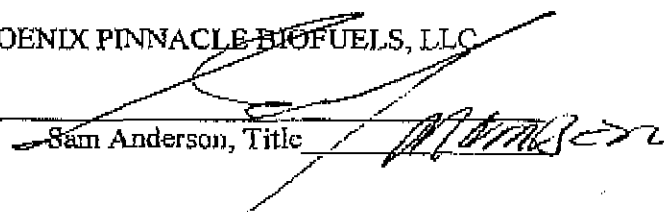
BAYSTATE BIOFUELS, LLC

By Its Attorneys,

Mitchell, Williams, Selig, Gates  
& Woodyard, P.L.L.C.

PHOENIX PINNACLE BIOFUELS, LLC

By

  
Sam Anderson, Title

By: Marshall S. Ney

Marshall S. Ney, Bar No. 91108  
Mitchell, Williams, Selig, Gates  
& Woodyard, P.L.L.C.  
5414 Pinnacle Point Drive  
Suite 500  
Rogers, AR 72758-8131  
(479) 464-5653  
[mney@mwlaw.com](mailto:mney@mwlaw.com)

by J. J. Samitt  
AR Bar No. 2008034

U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

JUN 07 2010

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK