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 20 Mutual Credit Corporation and Spurling Group II, LLC

21 UNITED STATES DISTRICT COURT  
 22 CENTRAL DISTRICT OF CALIFORNIA  
 23 EASTERN DIVISION

24 THE LINCOLN NATIONAL LIFE  
 25 INSURANCE COMPANY,

26 Plaintiff,

27 v.

28 THE GORDON R.A. FISHMAN  
 IRREVOCABLE LIFE TRUST;  
 HARVEY SCHWITZER, AS  
 TRUSTEE OF THE GORDON R.A.  
 FISHMAN IRREVOCABLE LIFE  
 TRUST; GORDON R.A. FISHMAN,  
 M.D.; HANNARETA FISHMAN;  
 AND MUTUAL CREDIT  
 CORPORATION,

Defendants.

Case No. ED CV 07-1338 SGL (OPx)

**FINAL JUDGMENT IN FAVOR OF  
 DEFENDANTS MUTUAL CREDIT  
 CORPORATION AND SPURLING  
 GROUP II, LLC AND AGAINST  
 THE LINCOLN NATIONAL LIFE  
 INSURANCE COMPANY**

**[FED. R. Civ. P. 54(b), 56]**

Hearing Date: May 4, 2009  
 Time: 10:00 a.m.  
 Place: Courtroom 1  
 Honorable Stephen G. Larson

Motion Cut-off Date: May 11, 2009  
 Trial Date: July 14, 2009

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that, in  
2 accordance with Federal Rule of Civil Procedure 54(b), 56 and 58, there being no  
3 just reason for delay, the Court hereby enters final judgment in the action as  
4 follows:

5 On Plaintiff The Lincoln National Life Insurance Company's First Amended  
6 Complaint against Defendants Mutual Credit Corporation ("MCC") and Spurling  
7 Group II, LLC ("Spurling"), Final Judgment is entered in favor of MCC and  
8 Spurling and against The Lincoln National Life Insurance Company ("Lincoln").  
9 Lincoln shall take nothing by way of its First Amended Complaint against MCC  
10 and Spurling.

11 Costs are awarded to MCC and Spurling in the amount to be determined by  
12 the Clerk of the Court.



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14 Dated August 06, 2009

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15 Honorable Stephen G. Larson  
16 Judge, U.S. District Court For the Central District of  
17 California

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20 PRESENTED BY:

ORRICK, HERRINGTON & SUTCLIFFE LLP

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22 /s/ William A. Molinski  
23 William A. Molinski

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24 Attorneys for Defendants Mutual Credit Corporation  
25 and Spurling Group II, LLC  
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