

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION**

**JAMES P. BIRTS, NATE S. ORBEN,** )  
**and DARLENE M. ORBEN, Individually, and** )  
**as Representatives of Others Similarly Situated** )

**PLAINTIFFS** )

**vs.** )

**THE ESTATE PLAN, INC.** )

**DEFENDANTS** )

**Case 4:08-cv-04047-HFB**

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**FINAL JUDGMENT**

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**CONTEMPORANEOUSLY HEREWITH** the Court has entered an Order Granting Plaintiffs' Motion for Default Judgment Against The Estate Plan, Inc. Consistent with the Order Granting Plaintiffs' Motion for Default Judgment Against The Estate Plan, Inc., the Court orders that Plaintiffs' recover as follows against The Estate Plan, Inc.:

1. Compensatory damages in the amount of \$2,501,400.00;
2. Exemplary damages in the amount of \$10,005,600.00;
3. Attorneys fees in the amount of \$4,169,000.00 to be awarded out of the common fund;
4. Non-taxable costs pursuant to Fed. R. Civ. P. 23; and
5. Post-judgment interest as specified by 28 U.S.C. § 1961.

This is a Final Judgment.

**SIGNED** this 16th day of March, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
U.S. District Court