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ROBB EVANS as Receiver

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 9 **UNITED STATES DISTRICT COURT**
 10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 ROBB EVANS, as Receiver over the
 Assets of James P. Lewis, Jr.,
 13 individually and doing business as
 Financial Advisory Consultants,
 14 Income Fund, Ltd. and Growth Fund,
 Ltd.,

15 Plaintiff,

16 v.

17 CHRISTOPHER J. BALL, et al.,
 18 Defendants.

CASE NO. CV06-17 ABC (VBKx)

**JUDGMENT AGAINST
 DEFENDANT JOHN FRANCIS
 KOVAK**

[F.R.C.P. 56]

DATE: September 22, 2008
 TIME: 10:00 a.m.
 PLACE: Courtroom 680

1 Robb Evans as Receiver of the assets of James P. Lewis, Jr., individually and
2 doing business as Financial Advisory Consultants, Income Fund, Ltd. and Growth
3 Fund, Ltd. (“Plaintiff”), brought his Motion for Summary Judgment against
4 Defendant John Francis Kovak, which was heard on September 22, 2008 at 10:00
5 a.m. in Courtroom 680 of the above-referenced Court, the Honorable Audrey B.
6 Collins, United States District Judge presiding. Gary Owen Caris of McKenna
7 Long & Aldridge LLP appeared on behalf of the Plaintiff. No other appearances
8 were made despite due and proper notice having been given. The Court having
9 read and considered all papers filed in support of the Motion for Summary
10 Judgment, including all admissible evidence filed in support of the Motion, and no
11 opposition having been filed, the Court having heard and considered the arguments
12 and contentions of counsel, the Court determining that no genuine issue as to any
13 material fact exists and that Plaintiff is entitled to a judgment as a matter of law,
14 and the Court finding that good cause exists for entry of a separate judgment under
15 Rule 54 of the Federal Rules of Civil Procedure under the circumstances,

16 **IT IS ORDERED, ADJUDGED AND DECREED** that Plaintiff Robb
17 Evans as Receiver of the assets of James P. Lewis, Jr., individually and doing
18 business as Financial Advisory Consultants, Income Fund, Ltd. and Growth Fund,
19 Ltd., shall have judgment against Defendant John Francis Kovak in the principal
20 amount of \$309,038.35 together with pre-judgment interest on said sum at the
21 federal statutory rate under 28 U.S.C. § 1961 in effect on the date of filing this
22 lawsuit and through September 24, 2008, in the amount of \$36,725.45 for a total
23 judgment in the amount of \$345,763.80 pursuant to the First, Second and Third
24 Claims for Relief asserted in Plaintiff’s Complaint, together with an award of post-
25 judgment interest accruing from and after the date of entry of judgment until paid in
26 full pursuant to 28 U.S.C. § 1961;

27 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the
28 judgment entered against the Defendant herein and any other judgments entered

1 heretofore or hereafter in this action against any other defendants are several as to
2 each such defendant unless otherwise expressly stated in the judgment to be joint
3 and several as to the particular defendants; and

4 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that there
5 is no just reason for delay in entry of this final judgment against Defendant John
6 Francis Kovak, and the Court expressly directs the entry of this separate judgment
7 against said defendant pursuant to F.R. Civ. P. 54 notwithstanding whether this
8 action remains pending against other defendants.

9 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter this
10 judgment forthwith notwithstanding whether this action remains pending against
11 other defendants.

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DATED: October 21, 2008 _____ *Audrey B. Collins*

HON. AUDREY B. COLLINS
UNITED STATES DISTRICT COURT JUDGE