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NOV 02 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY S. [Signature]
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7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION

11 THE FANSLER FOUNDATION, a California
non-profit foundation,

12 Plaintiff,

13 vs.

14 AMERICAN REALTY INVESTORS, INC., a
15 Nevada corporation; and BASIC CAPITAL
MANAGEMENT, INC., a Nevada corporation

16 Defendants.

No.: 1:04-cv-05285 LJO (DLB)

AC
**[PROPOSED] JUDGMENT PURSUANT
TO STIPULATION**

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

Fansler Foundation v. American Realty Inv, et al

Doc. 84

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21 Pursuant to the Stipulation for Entry of Judgment in favor of the Fansler Foundation
22 (“Stipulation”) entered into by and between Plaintiff The Fansler Foundation (“Plaintiff” or the
23 “Foundation”) and Defendants American Realty Investors, Inc., (“ARI”) and Basic Capital
24 Management, Inc. (“Basic” and collectively “Defendants”), it is hereby **ORDERED, ADJUDGED**
25 **AND DECREED:**

26
27 I. Defendants have defaulted on their payment obligations under the Settlement
28 Agreement. The Court finds that there has been an incurable default pursuant to Section 2.1.3.4 of

1 the Agreement. Plaintiff, therefore, is entitled to judgment in its favor and against Defendants.

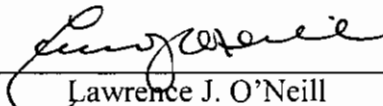
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3 2. Plaintiff shall have judgment against ARI and Basic, jointly and severally, in the
4 amount of \$3,448,898.80.

5
6 3. The total amount of this judgment reflects a total principal payment owed by
7 Defendants of \$26,000,000.00, with credit given for Defendants' payments made in the amount of
8 \$24,250,000.00. To the resulting principal balance in the amount of \$1,750,000.00, interest in the
9 amount of \$1,686,136.80 (simple interest on \$17,500,000.00 calculated at the rate of eight percent
10 (8%) commencing June 1, 2008 and running through October 1, 2010)¹ and attorneys' fees and costs
11 in the amount of \$12,762.00 shall be added. Accordingly, the aggregate amount of the judgment
12 shall be \$3,448,898.80.

13
14 4. The judgment shall accrue post-judgment interest at the rate provided for by law upon
15 entry by this Court.

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17 5. Enforcement of this judgment shall be governed by the terms of the Stipulation.

18
19 DATED: Nov 2, 2010

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21 
22 Lawrence J. O'Neill
23 Judge of the U.S. District Court
24 For the Eastern District of California

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28 ¹ Interest continues to accrue from October 2, 2010, through the date of the entry of judgment \$383.56 per day. Upon entry of judgment, interest shall accrue on the judgment at the legal rate until paid.