## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION

FIFTH THIRD BANK,

Plaintiff,

vs.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

MICHAEL SCHEIBLI, et al.,

Defendants.

Case No.: 2:12-cv-00427-WBS-AC Judge William B. Shubb

AGREED FINAL JUDGMENT

Plaintiff Fifth Third Bank, Defendant Michael Scheibli, and Defendant Inderjit Grewal have resolved the matters in controversy in this action and have consented to the terms of this Judgment in a Settlement Agreement, and the Court hereby enters this Judgment and hereby ORDERS, ADJUDGES AND DECREES that:

1. Fifth Third Bank is awarded a judgment against Defendants Inderjit Grewal and Michael Scheibli in the amount of \$350,000 (the "Judgment Amount").

If and only if the following occurs on or before the dates specified herein,
however, Fifth Third Bank agrees to collect only \$175,000 on the Judgment Amount and forgive
the remaining balance owed on the Judgment Amount by filing a satisfaction of Judgment:

a. Defendants Scheibli and Grewal wire or cause to be wired \$5,000 to
Plaintiff Fifth Third Bank on or before August 31, 2012;

Defendants Scheibli and Grewal wire or cause to be wired \$20,000 to
Plaintiff Fifth Third Bank on or before September 30, 2012;

1	c. Defendants Scheibli and Grewal wire or cause to be wired \$150,000 to	
2	Plaintiff Fifth Third Bank on the earlier of a refinancing described in	
3	Section 2(d) below or December 31, 2012; and	
4	d. Defendants Scheibli and Grewal shall cause:	
5	i. Grif	fen Flink & Watson and/or Hank Griffen to serve as an escrow
6		t for the refinancing of debt by Colonnade Acquisitions, LLC,
7		
8	the r	refinancing of debt related to the Colonnade Hotel in Branson,
9	Miss	souri and/or proceeds from the sale of such Hotel;
10 11	ii. irrev	vocably direct such escrow agent to wire \$150,000 from such
11	refir	ancing (and/or sale) to Plaintiff Fifth Third Bank should there
12	be a	refinancing and/or sale; and
14	iii. irrev	ocably directs such escrow agent to advise Plaintiff Fifth
15		d Bank of the last known address of Defendant Grewal.
16		
17		
18		
19		
20	IT IS SO ORDERED.	
21	Date: February 8, 2013	
22		
23	WILLIAM B. SHUBB	
24	UNITED STATES DISTRICT JUDGE	
25 26		
20		
27		

## FINAL JUDGMENT- 2