

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  
28E-FILED on 7/2/2012

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MARK SHEPHERD and DELIA SHEPHERD,

No. C-09-01405 RMW

Plaintiffs,

v.

S3 PARTNERS, LLC; ALARIS  
DEVELOPMENT; THE SHIELDS  
FOUNDATION; NORTHWEST  
CONSULTING GROUP, LLC; CORINTHIAN  
WEALTH MANAGEMENT; GOLDEN  
CREST WEALTH MANAGEMENT; PIERCE  
ARROW INVESTORS, LLC; LIVINGSTONE  
CAPITAL; STAGECOACH RETAIL, LLC;  
SONTERRA RETAIL CENTER, LLC;  
MICHAEL SIMS; SAM STAFFORD;  
MELVIN RUSSELL SHIELDS; DAVID  
VAUGHN; DAVID SAMUELS; CHASTAN  
SHIELDS; DOUG BURKE,

JUDGMENT BY DEFAULT

Defendants.

On February 2, 2012, the court struck the answers of defendants S3 Partners, LLC;  
Northwest Consulting Group, LLC; Stagecoach Retail, LLC; Sonterra Retail Center, LLC; and  
Melvin Russell Shields and entered defaults against said defendants. (Dkt. No. 123.) Now, the  
court having considered the declarations in support of plaintiffs' application for default judgment, the  
well-pleaded allegations deemed admitted upon default, and other portions of the file in this matter,

JUDGMENT BY DEFAULT—No. C-09-01405 RMW  
LJP

1 including its Order Granting in Part and Denying in Part Motion for Summary Judgment filed on  
2 October 12, 2011, and having concluded that defendants and each of them, directly or indirectly,  
3 obtained the monies invested by plaintiffs by fraud by, *inter alia*, having made (1) false  
4 representations of material facts to plaintiffs (2) knowing that said statements were false and making  
5 said statements with the intent to deceive where (3) plaintiffs justifiably and reasonably relied upon  
6 the misrepresentations referenced above and (4) plaintiffs were injured in that they were not repaid  
7 the amounts invested by them,

8 IT IS HEREBY ORDERED that:

- 9 1. Judgment be entered in favor of Plaintiffs Mark Shepherd and Delia Shepherd against  
10 Defendants S3 Partners, LLC; Northwest Consulting Group, LLC; Stagecoach Retail,  
11 LLC; Sonterra Retail Center, LLC; and Melvin Russell Shields, jointly and severally  
12 in the following amounts:

13	Compensatory Damages:	\$602,249.02
14	Prejudgment Interest:	\$34,004.74 <sup>1</sup>
15	Punitive Damages:	\$100,000.00
16	<hr/>	
17	<b>Total Judgment</b>	<b>\$736,253.76</b>

- 18 2. Post-judgment interest on the judgment is awarded at the rate of 0.21% per annum.  
19  
20

21  
22 DATED: July 2, 2012

  
23 RONALD M. WHYTE  
United States District Judge

24  
25  
26  
27  
28 <sup>1</sup> Counsel did not provide any computation of prejudgment interest. The court in its discretion has used the average 1-year constant maturity Treasury yield for each year, commencing July 6, 2007 for the amount of \$469,679.02 and September 25, 2007 for the amount of \$132,570.