

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 13-cv-2049-WJM-MEH

SAVANT HOMES, INC.,

Plaintiff,

v.

DOUGLAS W. COLLINS,
DOUGLAS CONSULTING, LLC, d/b/a COLLINS CUSTOM BUILDERS,
STEWART KING, d/b/a KODIAK CUSTOM DESIGN,
TAMMIE WAGNER, and
RON WAGNER,

Defendants.

ORDER OF EXECUTION ON SUPERSEDEAS BOND

This cause came to be heard on the motion by the Defendants Ron and Tammie Wagner for execution of judgment. This Order is directed to the attention of Advantage Bank, located at 1475 N. Denver Avenue, Loveland, Colorado 80538. Pursuant to the letter of credit filed in this action as Document 76-1 on September 16, 2015, and to be presented to you by the party conveying this Order to you, the Court, as beneficiary, states the following:

This Order should be considered a partial drawing under the letter of credit, drawn under Advantage Bank Letter of Credit No. 90230.

The judgment entered in *Savant Homes, Inc. v. Collins et al.*, Case No. 13-cv-2049 in the United States District Court for the District of Colorado on February 27, 2015, has been affirmed on Appeal; the time for requests for rehearing and further

appeal have expired; the mandate of the reviewing court has been issued and filed with the district court; and the United States District Court for the District of Colorado is entitled to payment under this letter of credit on the amounts set forth herein of the judgment as affirmed, including all attorney's fees, interest, and costs on appeal.

The payment requested should be paid according to the instructions below upon presentment by a representative of Thomas P. Howard, LLC, attorney for defendants Tammie Wagner and Ron Wagner. A copy of the mandate of the United States Court of Appeals for the Tenth Circuit shall be presented along with this Order.

As beneficiary of the attached letter of credit, this Court requests that payment in the amount of \$84,815.07, plus a per diem amount of \$0.91 dating from March 7, 2016, until the date paid, be paid into the following account:

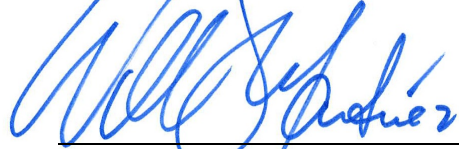
- Account Holder's Name: Thomas P. Howard, LLC COLTAF Account
- Account Holder's Address: 842 W. South Boulder Rd. Ste. 200, Louisville, CO 80027
- Account Holder's Telephone Number: 303-665-9845
- Account Number: 2553773124
- Routing Number: 102000076
- Name of Bank: Wells Fargo
- Address of Bank: 1137 E. South Boulder Rd., Louisville, CO 80027

This draw is without prejudice to further drawings as may become due under the terms of the Letter of Credit.

IT IS SO ORDERED.

Dated this 14th day of March, 2016.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martinez", written over a horizontal line.

William J. Martinez
United States District Judge