

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA

CIVIL ACTION

VERSUS

NO. 10-3052

JOSEPH T. SPINOSA, ET AL

SECTION: L

RULE 54(B) JUDGMENT

Considering the Court's Order entered on February 27, 2012:

IT IS ORDERED, ADJUDGED AND DECREED that Defendants Joseph T. Spinosa, Echelon Construction Services, L.L.C., Perkins Rowe Associates, L.L.C., Perkins Rowe Associates II, L.L.C., Perkins Rowe Associates III, L.L.C., and Perkins Rowe Associates IV, L.L.C., ("the Indemnitors") are jointly, severally, and *in solido* liable to Plaintiff as follows: (1) the Indemnitors shall indemnify Travelers for the losses Travelers incurred in connection with having executed bonds on behalf of Echelon and in enforcing the indemnity agreement, in the amount of \$9,721,427.18; (2) the Indemnitors shall specifically perform their obligations under the indemnity agreement by depositing collateral security with Travelers in the amount of \$5,000,000.00.

Travelers' right is reserved to seek all additional sums expended, including, but not limited to, all costs, expenses, attorney's fees, and other professional fees that Travelers incurs in connection with having executed payment and performance bonds on behalf of Echelon and in enforcing the indemnity agreement.

This Order resolves less than all of Plaintiff's claims against Defendants, but there being no just reason for delay, the Court shall issue a separate final judgment as to the claims

encompassed by the Motion for Summary Judgment. The case shall remain pending and administratively stayed pursuant to the Court's separately-issued Order addressing the parties' Joint Motion to Sever (Rec. Doc. 32).

New Orleans, Louisiana, this 29th day of February, 2012.

A handwritten signature in black ink that reads "Eldon E. Fallon". The signature is written in a cursive style with a horizontal line underneath the name.

ELDON E. FALLON
UNITED STATES DISTRICT JUDGE