

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 BEAZER HOMES HOLDINGS CORP.

CASE NO. 2:09-cv-02089-GMN-LRL

5 vs.

**ORDER ON MOTION FOR A
DAMAGES AWARD**

6 CW CAPITAL FUND ONE, LLC;
7 CORONADO WEST, INC.; and the FEDERAL
8 DEPOSIT INSURANCE CORPORATION, as
Receiver for NEW SOUTH FEDERAL
SAVINGS BANK,

9 Defendants.

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11 This matter came before the Court on the Motion for a Damages Award pursuant to Fed.
12 R. Civ. P. 55(b) filed by Plaintiff Beazer Homes Holdings Corp. Being duly advised, the Court
13 now ORDERS that Beazer Homes Holdings Corp. is entitled to judgment in the amount of
14 \$9,854,190.10 against defendants CW Capital Fund One, LLC and Coronado West. Of this
15 amount, \$4,572,375.00 shall be placed into an interest-bearing escrow account for the benefit of
16 Beazer Homes Holding Corp. with customary instructions to the escrow agent that this escrowed
17 amount upon shall be released to Beazer upon submitted payment applications pursuant to the
18 procedure detailed in the Construction Agreement.

19 **IT IS SO ORDERED** this 7th day of April, 2011.

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23 Gloria M. Navarro
24 United States District Judge
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