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8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

11 HOLIDAY SYSTEMS INTERNATIONAL OF  
 12 NEVADA, d/b/a HOLIDAY SYSTEMS  
 INTERNATIONAL, a Nevada corporation,

13 Plaintiff,

14 v.

15 VIVARELLI, SCHWARZ AND ASSOCIATES,  
 16 S.A. de C.V., a Mexican corporation; RESORT  
 SOLUTIONS INC., a Virginia corporation;  
 17 ROYAL ELITE VACATIONS, LLC, a Virginia  
 limited liability company; ROYALE ELITE  
 18 EXCHANGES LLC, a Virginia limited liability  
 company; and AARON SCHWARZ, an  
 19 individual,

20 Defendants.

CASE NO.: 2:10-cv-00471-MMD-(GWF)

**~~PROPOSED~~ DEFAULT JUDGMENT  
 AGAINST DEFENDANT AARON  
 SCHWARZ**

21 THIS MATTER having come before the Court pursuant to Plaintiff Holiday Systems of  
 22 Nevada's ("HSI") Application for Default Judgment Against Defendant Aaron Schwarz (the  
 23 "Schwarz Application"), and the Court having reviewed the pleadings and papers submitted in  
 24 support thereof and having granted the Schwarz Application in its entirety (*see* Dkt. No. 99),  
 25 now, therefore,

26 It is hereby ORDERED, ADJUDGED and DECREED that judgment is entered against  
 27 Defendant Aaron Schwarz ("Defendant Schwarz") as follows:

28 ///

- 1           1.     HSI is hereby awarded actual, special and consequential damages against  
2           Defendant Schwarz in the total amount of \$1,148,508.17 based upon Schwarz's  
3           misappropriation and use of HSI's confidential and proprietary assets,  
4           interference with HSI's valid and existing contractual relations, and the ongoing  
5           and recurrent conversion of monies, incomes and/or revenues due and owing to  
6           HSI and the unjust enrichment resultant therefrom, which shall bear prejudgment  
7           interest at the statutory allowance of N.R.S. § 17.130 as set forth below.
- 8           2.     HSI is hereby awarded its costs incurred in the prosecution of this action against  
9           Defendant Schwarz in the amount of \$9,070.52, jointly and severally with  
10          Defendant Vivarelli, Schwarz & Associates, S.A. de C.V., as set forth in the Bill  
11          of Costs filed by HSI pursuant to LR 54-1.
- 12          3.     HSI is awarded prejudgment interest and statutory interest in the amount of  
13          \$230,424.60, pursuant to N.R.S. § 17.130.<sup>1</sup>
- 14          4.     HSI shall recover the aggregate judgment amount of \$1,157,578.69 against  
15          Defendant Schwarz, as denoted in Paragraphs 1 – 3 above.
- 16          5.     HSI is awarded post-judgment interest pursuant to 28 U.S.C. § 1961.

17           IT IS SO ORDERED.

18  
19           DATED this 30<sup>th</sup> day of January, 2014.

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21           

22           UNITED STATES DISTRICT JUDGE

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28           <sup>1</sup> The calculation of prejudgment interest pursuant to N.R.S. § 17.130 is made through January 31, 2014.