

McCUSKER, ANSELM, ROSEN & CARVELLI, P.C.  
210 Park Avenue  
Florham Park, NJ 07932  
(973) 635-6300  
Attorneys for Plaintiffs  
Marc and Nancy Greenberger

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARC GREENBERGER and NANCY  
GREENBERGER,

Plaintiffs,

v.

VARUS VENTURES, LLC,  
TRADITION SOURCING, LLC,  
NICHOLAS P. SANDOR and DAVID  
GULIAN,

Defendants.

CIVIL ACTION NO. 3:13-CV-07920-MAS -TJB

**ORDER FOR FINAL JUDGMENT  
BY DEFAULT**

**THIS MATTER** having been brought to the Court on application of McCusker, Anselmi, Rosen and Carvelli, P.C., counsel for Plaintiffs Marc and Nancy Greenberger (collectively, "Plaintiffs") (Paul F. Carvelli, Esq. appearing), on notice to Defendant Nicholas P. Sandor ("Sandor") for entry of an Order pursuant to Rule 55(b) of the Federal Rules of Civil Procedure granting a final judgment by default in Plaintiffs' favor and against Sandor on the First (Breach of Contract), Fourth (Breach of Fiduciary Duty) and Fifth (Fraud) Counts of Plaintiffs' First Complaint and Jury Demand, for the relief sought in Plaintiffs' First Amended Complaint and Jury Demand;

And the Court, having reviewed the papers submitted and considered the arguments contained therein, and for good cause otherwise appearing;

IT IS on this 8<sup>th</sup> day of February, 2016

**ORDERED** that Plaintiffs' motion pursuant to Rule 55(b) of the Federal Rules of Civil Procedure for a final judgment by default in Plaintiffs' favor and against Sandor on the First (Breach of Contract), Fourth (Breach of Fiduciary Duty) and Fifth (Fraud) Counts of Plaintiffs' First Complaint and Jury Demand be, and hereby is, **GRANTED**; and it is further

**ORDERED** that a **FINAL JUDGMENT BY DEFAULT** be, and hereby is, **ENTERED** in favor of Plaintiffs and against Sandor, **IN THE AMOUNT OF \$177,000**; and it is further

**ORDERED** that **PREJUDGMENT INTEREST** be, and hereby is, **AWARDED** in favor of Plaintiffs and against Sandor in the amount of **\$3,349.66**, calculated at the prejudgment interest rate of 2.25% as set forth in Rule 4:42-11 of the New Jersey Court Rules, in the amount of **\$10.91 per diem** (\$177,000 divided by 365 days multiplied by .0225) and accrued for the 307 days from the date this action was filed through the November 2, 2015 return date of this motion; and it is further

**ORDERED** that **POST-JUDGMENT INTEREST** be, and hereby is, awarded in favor of Plaintiffs and against Sandor on the award balance of \$177,000, calculated at the currently prevailing Federal Post-Judgment Interest Rate of .14% as of the date of this Entry of Final Judgment, in the amount of **\$.68 per diem** (\$177,000 divided by 365 days multiplied by .0014); and it is further

**ORDERED** that to the extent Plaintiffs have recovered or recover monies from any other Defendant, then Sandor shall be entitled to an **OFFSET** against the amount of the **FINAL**

**JUDGMENT BY DEFAULT** entered herein against them in the amount equal to such recovery (to be demonstrated by affidavits of counsel as may be appropriate); and it is further

**ORDERED** that a copy of this Order shall be served on all counsel of record within two (2) days of receipt.

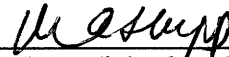
**SO ORDERED.**

**PRINCIPAL AMOUNT OF FINAL JUDGMENT:** \$ 177,000

**PREJUDGMENT INTEREST AWARD:** \$ 3,349.66

**POSTJUDGMENT INTEREST AWARD:** \$                     

**FINAL JUDGMENT IN THE AMOUNT OF \$ 180,349.66 ENTERED**  
**THIS 8<sup>th</sup> DAY OF February, 2015.<sup>6</sup>**



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Hon. Michael A. Shipp, U.S.D.J.