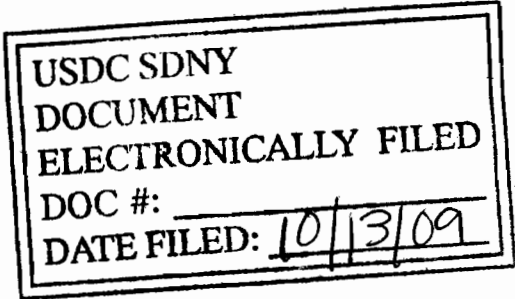


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----x  
:  
GUY T. MITCHELL and  
ROYAL PALM SENIOR INVESTORS, LLC,  
:  
Plaintiffs,  
:  
v.  
:  
CARBON CAPITAL II, INC.,  
:  
Defendant.  
-----x

08 Cv. 4319 (BSJ)

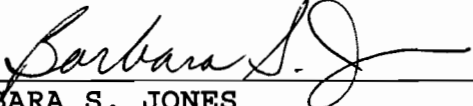
Order

BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

In an opinion dated July 7, 2009, this Court granted Defendant Carbon Capital II, Inc.'s ("Carbon II") motion to dismiss and its motion for summary judgment on its counterclaims against Plaintiffs Guy T. Mitchell ("Mitchell") and Royal Palm Senior Investors, LLC ("Royal Palm").

Having reviewed Carbon II's submissions in support of their motion for supplemental judgment, it is hereby ordered that Carbon II have judgment against Plaintiffs Mitchell and Royal Palm in the total amount of \$52,605,833.00. This amount includes the principal (\$24,545,813.00), interest and fees (\$26,537,925.76) and attorneys' fees and costs (\$1,522,094.24).

SO ORDERED:

  
\_\_\_\_\_  
BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
October 13, 2009