

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

ROBERT CUTLER and **NANCY CUTLER**, a married couple; and **ROBERT TICE**, an individual,

Plaintiffs,

v.

TYTUS HARKINS, an individual citizen of the State of Montana; **JASON M. WHITE**, an individual citizen of the State of Washington; **HARTMAN WRIGHT, LLC**, a Washington limited liability company; **HARTMAN WRIGHT GROUP, LLC**, a Colorado limited liability company; **HARTMAN WRIGHT GROUP LLC**, a Georgia limited liability company; **HARTMAN WRIGHT PROJECT MANAGEMENT**, a Colorado limited liability company; **PLEASANT HILL MHP HOLDINGS, LLC**, an unknown entity; and **ONE SIXTEEN GROUP, LLC**, a Georgia limited liability company,

Defendants.

Case No. 3:18-cv-01692-IM

JUDGMENT

Pursuant to the Confession of Judgment, ECF189, filed by Plaintiffs, and Plaintiffs'

Motion for Entry of Judgment, ECF 191, it is:

ORDERED that Defendants failed to timely make payments when due, or otherwise failed to perform as agreed in the Settlement Agreement and Plaintiffs were authorized to file the Confessions of Judgment;

ORDERED that Defendants are responsible and liable for the claims of Plaintiffs as set forth in Plaintiffs' Fourth Amended Complaint, more specifically as follows:

- a. Defendants engaged in securities fraud pursuant to ORS 59.135 by employing a scheme to defraud the Plaintiffs by making false statements of material facts, failing to state material facts necessary to make their statements not misleading, and by engaging in the course of business that operated as a fraud on the Plaintiffs;
- b. Defendants sold unregistered securities not sold under any exemption;
- c. The corporate veil is pierced and Defendants are liable for the default judgments against the HW companies;
- d. Defendants are liable under the terms of the Promissory Notes signed by Plaintiffs;
- e. Defendants engaged in common law fraud by making representations that were false, misleading, or withheld material facts from the Plaintiffs;
- f. Defendants were unjustly enriched;
- g. Defendants violated the Uniform Fraudulent Transfers Act by making transfers with actual intent to hinder, delay, or defraud the Plaintiffs; and
- h. Defendants breached their contract with Plaintiff Tice specific to the "Robin's Landing MHP";

ORDERED that Plaintiffs are entitled to recover the debt agreed upon in the Settlement Agreement in the amount of \$1,000,000.00, minus any payments made as of the entry of this judgment and Defendants, and any associated entities, shall be jointly and severally liable for the balance of damages owed to Plaintiffs as set forth below:

Money Award Summary

- | | |
|--------------------------------------|---|
| 1. Judgment Creditors: | Bob & Nancy Cutler, Robert Tice |
| 2. Judgment Debtors: | Tytus Harkins & Jason M. White
and all associated entities |
| 3. Principal Judgment: | \$911,434.13 |
| 4. Attorney's Fees: | \$2,100.00 |
| 5. Total Judgment Amount: | \$913,534.13 |
| 6. Post-Judgment Interest: | 9% |
| 7. Attorneys for Judgment Creditors: | Scannellaw, LLC; and |

ORDERED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Judgment.

DATED this 25th day of November, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge