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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

SMARTEK21, LLC, a Washington limited liability company,

Plaintiff,

v.

**VISIKARD, INC., a Delaware corporation, and
KENNETH LIPSCOMB, an individual.**

Defendants.

NO.: 2:17-cv-01798-TSZ

**ORDER GRANTING
PLAINTIFF’S MOTION TO
REOPEN CASE AND ENTER
JUDGMENT BY CONFESSION**

Findings of Fact & Conclusions of Law

1. On June 21, 2019, the parties entered into a Settlement Agreement setting forth a payment schedule for the agreed-upon settlement amount.
2. Contemporaneously, the Defendants executed a Confession of Judgment in the amount of \$200,000.00.
3. The Settlement Agreement provides that if the Defendants default on the settlement payments, SmarTek21 shall reopen this litigation and enter the Confession of Judgment.
4. Defendants have defaulted on the settlement payments and have made no payments toward the settlement amount.
5. Plaintiff filed a motion to reopen this case (docket no. 87) within 90 days of the May 30, 2019 Order of Dismissal (docket no. 86).

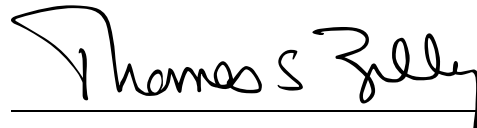
- 1 6. Reopening this case is warranted.
2 7. Entry of judgment by confession is warranted in the amount of \$200,000.00.
3 8. Defendants are jointly and severally liable for the Confession of Judgment, a copy of
4 which is attached hereto.
5 9. There is no just reason to delay entering final judgment in this case.

6 **ORDER**

7 IT IS HEREBY ORDERED that Plaintiff's Motion to Reopen Case and Enter Judgment
8 By Confession is GRANTED:

- 9 A. This lawsuit is reopened.
10 B. Pursuant to the attached Confession of Judgment, the Clerk is directed to enter final
11 judgment in favor of SmarTek21 and against Defendant VisiKard, Inc. and Defendant
12 Kenneth Lipscomb, jointly and severally, in the amount of \$200,000.00. The Judgment
13 shall be subject to 12% per annum post-judgment interest.

14 DATED this 17th day of September, 2019.

15 

16 Thomas S. Zilly
United States District Judge

17 Presented By:
18 MDK Law

19 /s/ Mark D. Kimball

20

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25 ORDER GRANTING PLAINTIFF'S MOTION
TO REOPEN CASE AND ENTER JUDGMENT
BY CONFESSION
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