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ENTERED
CLERK, U.S. DISTRICT COURT
OCT 14 2004
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

FILED
CLERK, U.S. DISTRICT COURT
OCT - 8 2004
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

Attorneys for Class Action Plaintiffs
[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

In re HERITAGE BOND LITIGATION

David Snow, Howard Preston, Langdon Parrill,
Ray Stitt, Barrett Anderson, Laurence Pilgeram,
Scott McKenry, Ralph Allman, and Gilbert
Kivenson, On behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

U.S. Trust Company of Texas, N.A., U.S. Trust
Corporation, Tarrant County Health Facilities
Development Corporation, Jerold Goldstein,
Onofrio V. Bertolini, Stephen P. Goodman,
Evan Greenspan, Estate of Andrew Kornreich,
Deceased, Cary Medill, Estate of Emery Rubin,
Larry A. Rubin, Herbert Saltzman, Virgil Lim,
Clarke Underwood, Donald B. Chalker,
Marshall Wexler, Robert Kasirer, Debra Kasirer,
Bistra & Munkacs Holdings, Inc., JDDJ
Holdings, L.P., Health Care Holdings, LLC,
CareContinuum, LLC, Louis Pontarelli, William
Filippone, Leo Dierckman, Alan Pollak, Geri
Ostlund, Richard Kuhl, James E. Iverson, Victor
P. Dhooge, John M. Clarey, James F. Dlugosch,
Edward J. Hentges, Kenneth R. Larsen, Jerome
E. Tabolich, Steven W. Erickson, Paul R.
Ekholm, Kenneth E. Dawkins, Joel T. Boehm,
Sabo & Green, Atkinson, Andelson, Loya, Ruud
& Romo, Valuation Counselors Group, Inc.,
Capital Consulting Group, Inc., Healthcare
Financial Solutions Group, Inc., Zelenofske,
Axelrod & Co., Ltd., Berman and Bertolini, Inc.
aka Berman & Associates, Michael Sobelman,
Sobelman Cohen & Sullivan LLP, Foley &
Lardner as Doe No. 2, and Wildman, Harrold
Allen & Dixon as Doe No. 3 and Does 4-10,
Defendants.

02-ML-1475-DT(RCx)

Consolidated With Case Nos:
CV 01-5752 DT (RCx)
CV 02-382 DT (RCx)
CV 02-993 DT (RCx)
CV 02-2745 DT (RCx)
CV 02-6484 DT (RCx)
CV 02-6841 DT (RCx)
CV 02-9221 DT (RCx)

Companion Case
CV 02-6512 DT

This Document Relates To:
CV 02-382 DT (RCx) ✓

**[PROPOSED] ORDER ON
MOTION FOR ENTRY OF
JUDGMENT, PRE-
JUDGMENT INTEREST
AND POST-JUDGMENT
INTEREST AGAINST
VIRGIL LIM**

Date: September 27, 2004
Time: 10:00 A.M.
Courtroom: 880
Hon. Dickran Tevzizian

Discovery Cutoff: 8/27/04
Pre-Trial Conf: 11/1/04

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d)

[PROPOSED] ORDER ON MOTION FOR ENTRY OF JUDGMENT PRE-JUDGMENT INTEREST
AND POST-JUDGMENT INTEREST AGAINST VIRGIL LIM

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2004 SEP 29 PM 3:19
U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES

1 On September 27, 2004, this Court considered and heard Class Plaintiffs'
2 Motion for Entry of Judgment, Pre-Judgment Interest and Post-Judgment Interest
3 Against Virgil Lim under Federal Rule of Civil Procedure 55(b)(2). Previously
4 on June 28, 2004, this Court granted Plaintiffs' Motion for Partial Summary
5 Judgment, or Alternatively for Summary Adjudication of Issues, on Fifth Cause of
6 Action (Negligence) Against Defendant Virgil Lim. After considering the papers
7 submitted in connection with this Motion for Entry of Judgment, Pre-Judgment
8 Interest and Post-Judgment Interest Against Virgil Lim, the pleadings on file in
9 this action, the evidence offered at the hearing on this motion, this Court finds as
10 follows:

11 **IT IS ORDERED, ADJUDICATED AND DECREED** that:

12 1. Class Plaintiffs have judgment against Virgil Lim in the liquidated
13 amount of \$23,676,057.

14 2. Pursuant to California Civil Code Section 3287 and/or California
15 Civil Code 3288, Plaintiffs are granted pre-judgment interest in the amount of
16 \$5,001,017.20.

17 3. Plaintiffs' request for post-judgment interest is denied without
18 prejudice.

19 4. Jurisdiction is retained by this court for the purpose of hearing and
20 ruling upon Plaintiffs' application for an award of fees and costs if they obtain a
21 recovery pursuant to this Judgment.

22 5. All relief not expressly granted is denied.

23 DATED: September____, 2004

24 **DICKRAN TEVRIZIAN** OCT - 8 2004

25 **DICKRAN TEVRIZIAN**

26 United States District Judge
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IN RE HERITAGE BOND LITIGATION**

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