

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X

ALEXANDER M. FRAME,

Plaintiff,

Index No. 601736/04

-against-

**JUDGMENT**

KENNETH L. MAYNARD, and 5008 BROADWAY  
ASSOCIATES, LLC,

Defendants.

-----X  
R.H. GUTHRIE, BEATRICE GUTHRIE, PAUL HINES  
and CAROLINE PAULSON,

Cross-Claimants,

against

KENNETH L. MAYNARD and 5008 BROADWAY  
ASSOCIATES, LLC.

Defendants.

-----X

The summons and complaint was filed on June 8, 2004, and the complaint was amended on January 18, 2005 and the caption amended by the decision at trial of the Honorable Paul G. Feinman filed October 7, 2008. Answer of the defendants served on February 7, 2005. Answer of the cross claimants served on February 7, 2005. Trial of the above entitled action was held before the Honorable Paul G. Feinman on the following dates: September 6, 7, 10, 11, 2007, November 16, 20, 21, 2007, December 3, 4, 6, 7, 10, 11, 13, 14, 18, 20, 21, 2007, March 4, 2008. The Court rendered its

decision and filed same with the County Clerk on October 7, 2008,

NOW THEREFORE, PURSUANT TO SAID DECISION, IT IS ORDERED,  
ADJUDGED AND DECREED:

1. ALEXANDER M. FRAME, plaintiff, residing at 1703 East 2nd Street, Brooklyn, NY 11223-1822 shall have judgment against KENNETH L. MAYNARD, residing at 420 The Strand, Hermosa Beach, California, 90254 in the amount of \$421,220.80 with interest at the legal rate from February 7, 2002, to the date of the entry of the judgment herein in the amount of \$254,878.98, together with costs and disbursements in the amount of \$508.33, as taxed by the clerk, for a total judgment in the amount of  $\times$  \$676,608.11, and that plaintiff have execution therefore.

2. BEATRICE GUTHRIE, cross-claimant, residing at 15 East 74<sup>th</sup> Street, New York, NY 10021 shall have judgment against KENNETH L. MAYNARD, residing at 420 The Strand, Hermosa Beach, California, 90254 and 5008 BROADWAY ASSOCIATES, LLC, a New York limited liability company, with an address of 5008 Broadway, New York, NY, in the amount of \$325,598.54 with interest at the legal rate from February 7, 2002, to the date of the entry of the judgment herein in the amount of \$197,018.34, together with costs and disbursements in the amount of \$328.33, as taxed by the clerk, for a total judgment in the amount of \$522,945.21,  $\times$  and that cross-claimant have execution therefore.

3. CAROLINE PAULSON, cross-claimant, residing at PO Box 371, Tilson, NY 12486 shall have judgment against KENNETH L. MAYNARD, residing at 420 The Strand, Hermosa Beach, California, 90254 and 5008 BROADWAY ASSOCIATES, LLC, a New York limited liability company, with an address of 5008 Broadway, New York, NY, in the amount of \$162,799.<sup>27 047</sup>~~00~~ with interest at the legal rate from February 7, 2002, to the date of the entry of the judgment herein in the amount of \$98,509.17, together with costs and disbursements in the amount of \$233.33, as taxed by the clerk, for a total judgment in the amount of \$261,541.77, and that cross-claimant have execution therefore.

4. BEATRICE GUTHRIE AND CAROLINE PAULSON, cross-claimants are awarded a constructive trust against the property located at 5008 Broadway, New York, NY, currently held in the name of 5008 Broadway Associates, LLC and the Registrar of the City of New York is hereby directed to docket the judgment against Block 2230 Lot 5 in the County of New York, said docket to remain until said judgment is satisfied.

5. KENNETH L. MAYNARD, defendant, residing at 420 The Strand, Hermosa Beach, California, 90254 shall have judgment against PAUL HINES, residing at 17 Trachelle Lane, Charleston, SC. 27409 dismissing the complaint.

6. 5008 BROADWAY ASSOCIATES, LLC, defendant, having an

address of 5008 Broadway, New York, NY, shall have judgment against  
ALEXANDER M. FRAME, plaintiff, residing at 1703 East 2nd Street,  
Brooklyn, NY 11223-1822 dismissing the complaint

Dated: October 27, 2008

ENTER **SO ORDERED**

*Paul G. Feinman*  
**PAUL G. FEINMAN**

**J.S.C.**

*[Signature]*  
\_\_\_\_\_  
CLERK

*Also counter-judgment  
was submitted,*

**FILED**

OCT 27 2008

NEW YORK  
COUNTY CLERK'S OFFICE

Index No.

Year 20

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

ALEXANDER M. FRAME,

Plaintiff,

RECEIVED

-against-

OCT 27 2008

KENNETH L. MAYNARD, 5008 BROADWAY ASSOCIATES, LLC,

PART 12

Defendants.

JUDGMENT

Plaintiff

LESLIE TRAGER

Attorney for

230 PARK AVENUE  
10TH FLOOR  
NEW YORK, NEW YORK 10169  
(212) 721-1192

FILED AND  
DOCKETED

OCT 27 2008

2:45 PM

AT  
N.Y., CO. CLKS OFFICE

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: ..... Signature.....

Print Signer's Name.....

Service of a copy of the within is hereby admitted.

Dated: .....

Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

NOTICE OF ENTRY

that the within is a (certified) true copy of a entered in the office of the clerk of the within named Court on

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NOTICE OF SETTLEMENT

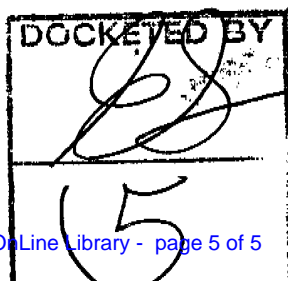
that an Order of which the within is a true copy will be presented for settlement to the Hon. one of the judges of the within named Court, at

20

, at

M.

Dated:



LESLIE TRAGER

Attorney for