

IN THE DISTRICT COURT OF CANADIAN COUNTY
STATE OF OKLAHOMA

OPITZ INC., d/b/a 5 STAR
STORAGE, an Oklahoma corporation,

PLAINTIFF,

V.

LE MARS INSURANCE COMPANY, a
foreign corporation.

DEFENDANT.

Case No. CJ-2009-902

FILED
MARIE RAMSEY COURT CLERK
CANADIAN COUNTY OKLA.

MAY 03 2011

BY Holley Ector
DEPUTY

JOURNAL ENTRY OF JUDGMENT

The captioned matter came before this Court for jury trial. Present were Rick Opitz for Plaintiff, Opitz, Inc., d/b/a 5 Star Storage, and his attorneys, James A. Belote and Jack Stipe, and Defendant, Le Mars Insurance Company, and its attorney, Tom E. Mullen. The jury was empanelled and sworn. It heard the evidence, the charges of the Court and the argument of counsel and returned its verdict in favor of Plaintiff, Opitz, Inc., d/b/a 5 Star Storage, for the following amounts:

\$415,000 for breach of contract and for the breach of the covenant of good faith and fair dealing. The Parties stipulate the damages for breach of contract and for the breach of the covenant of good faith and fair dealing are the same.

\$225,000 for punitive damages.

Pursuant to Title 36, Section 3629(B) of the Oklahoma Statutes, Plaintiff, Opitz, Inc., d/b/a 5 Star Storage is entitled to Fifteen Percent (15%) per year on the breach of contract claim from the date the loss was payable, June 10, 2009, to the date of the verdict, April 13, 2011, in the amount of \$114,125.00.

The total judgment, including prejudgment interest, equals \$754,125.00.

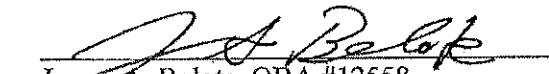
Pursuant to Title 12, Section 727.1 of the Oklahoma Statutes, Plaintiff, Opitz, Inc., d/b/a 5 Star Storage is entitled to Post Judgment Interest on the total judgment in the amount of \$754,125.00 at the rate of Five Point Two Five (5.25%) through December 31, 2011, and, thereafter, at the rates prescribed in accordance with 12 O.S. §727.1, until the judgment is paid.

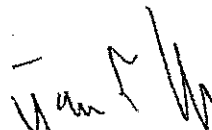
The determination of any recovery for attorney fees taxed as costs and other costs is expressly reserved and may be presented to the Court in accordance with 12 O.S. §696.4(B).

GARY E. MILLER

DISTRICT COURT JUDGE

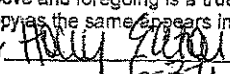
APPROVED AS TO FORM:


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I, Marie Ramsey, Court Clerk of Canadian
County, Oklahoma, do hereby certify that the
above and foregoing is a true and correct
copy as the same appears in my office.
BY 
DATED 5-31 DEPUTY