BLECHER & COLLINS, P.C.   JS-6
Maxwell M. Blecher (State Bar No. 26202)
   mblecher@blechercollins.com
Maryann R. Marzano (State Bar No. 96867)
   mmarzano@blechercollins.com
Kristen M. Peters (State Bar No. 252296)
   kpeters@blechercollins.com
515 South Figueroa Street, Suite 1750
Los Angeles, California 90071-3334
Telephone: (213) 622-4222
Facsimile: (213) 622-1656

Attorneys for Plaintiff VELTEX CORPORATION

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

VELTEX CORPORATION, a Utah corporation,	CASE NO. CV10 1746 ABC (PJWx)
Plaintiff,	[~~PROPOSED~~] **FINAL JUDGMENT**
vs.	
JAVEED AZZIZ MATIN, an individual; TANZILA SULTANA, an individual; SAASHA CAMPBELL, an individual; MAZHAR HAQUE, an individual; ALLEN E. BENDER, an individual; VELTEX USA, INC., a Delaware corporation; VELTEX APPAREL, INC., a California corporation; VELTEX INDUSTRIES, INC., a Delaware corporation; VELTEX EXPLORER, INC., a Canadian corporation; VELTEX CANADA, INC., a Canadian corporation; WILSHIRE EQUITY, INC. aka WILSHIRE EQUITIES, INC., a Colorado corporation; AMERICAN REGISTRAR & TRANSFER CO., a Utah corporation; PATRICK R. DAY, an individual; RICHARD M. DAY, an individual; MOORE & ASSOCIATES, CHARTERED, a Nevada corporation; MICHAEL J. MOORE, an individual; CHISHOLM, BIERWOLF, NILSON & MORRILL, CPA aka CHISHOLM, BIERWOLF & NILSON, LLC, a Utah limited liability company; BRAD B.	

1

1 HAYNES, an individual; ANNE)
   TAHIM, an individual; JAAK U.)
2 OLESK, an individual; and)
   CARMINE J. BUA, an individual,)
)
3 _____ Defendants.)

4   **PLEASE TAKE NOTICE THAT** on March 19, 2012, the following

5 application came on for hearing: Plaintiff Veltex Corporation's Application for

6 Entry of Default Judgment by Court Against Defendants Javeed Azziz Matin,

7 Mazhar Haque, Wilshire Equity, Inc. *aka* Wilshire Equities, Inc., Tanzila Sultana,

8 Michael J. Moore, Moore & Associates, Chartered, Veltex Apparel, Inc., Veltex

9 Industries, Inc. and Veltex USA, Inc. ("Application"). Maryann R. Marzano, Esq.

10 and Kristen M. Peters, Esq. of Blecher & Collins, P.C. and Merle L. Royce, Esq. of

11 the Law Offices of Merle L. Royce, who was admitted pro hac vice, appeared on

12 behalf of Plaintiff Veltex Corporation. No other appearances were made. The Court

13 called the matter for hearing and heard and considered the Application.

14   Plaintiff Veltex Corporation ("Plaintiff" or "Veltex") filed and served upon

15 Defendants Javeed Azziz Matin ("Matin"), Tanzila Sultana ("Sultana"), Mazhar

16 Haque ("Haque"), Veltex USA, Inc. ("Veltex USA"), Veltex Apparel, Inc. ("Veltex

17 Apparel"), Veltex Industries, Inc. ("Veltex Industries"), Moore & Associates

18 Chartered ("Moore & Associates"), Michael J. Moore ("Moore") and Wilshire

19 Equity, Inc. *aka* Wilshire Equities, Inc. ("Wilshire") a summons and Complaint in

20 the action. Said Defendants failed to appear and answer or otherwise respond to the

21 Complaint.[1]

22   On June 30, 2010, the Clerk of the Court entered the default of Defendants

23 Sultana, Veltex Apparel, Veltex Industries and Moore & Associates pursuant to Rule

24 55(a) of the Federal Rules of Civil Procedure. On July 2, 2010, the Clerk of Court

25 entered the default of Defendants Moore, Wilshire, Matin and Haque pursuant to

26 _____

27 [1] Veltex served a First Amended Complaint in the action on July 16, 2010.
   However, the FAC did not include any additional allegations regarding any of the
28 Defendants in default.

[PROPOSED] FINAL JUDGMENT

1 Rule 55(a) of the Federal Rules of Civil Procedure. On November 2, 2010, the

2 Clerk of the Court entered the default of Veltex USA pursuant to Rule 55(a) of the

3 Federal Rules of Civil Procedure.

4   Veltex has filed an Application for Entry of Default Judgment by Court

5 pursuant to Rule 55(b) of the Federal Rules of Civil Procedure with supporting

6 papers establishing damages under its various claims. The Application, having been

7 presented, fully considered and approved by the Honorable Audrey B. Collins at the

8 conclusion of the hearing, and a decision having been fully rendered,

9   **I.**

10   **IT IS HEREBY ORDERED, ADJUDICATED AND DECREED** that

11 Veltex's Application for Entry of Default Judgment under the First Claim for Relief

12 is GRANTED. The Court finds that the shares and assets were diverted and

13 transferred to Matin, Sultana, Wilshire and others and converted to their own use by

14 them as part of the scheme to violate the securities laws, as alleged in the First Claim

15 For Relief, and that Veltex was deprived of and lost the fair market value of its

16 shares and assets in the amount of One Hundred Million, Seventy Eight Thousand,

17 and Six Hundred Twenty One Dollars ($100,078,621) as a direct and proximate

18 result thereof. The Court further finds that Defendants Matin, Sultana, Haque,

19 Wilshire, Veltex USA, Veltex Apparel, Veltex Industries, Moore & Associates and

20 Moore participated in the diversion and conversion of its common stock and assets

21 in connection with the continuing scheme alleged in the First Claim for Relief.

22   IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that

23 judgment be and hereby is entered in favor of Veltex and against Defendants Matin,

24 Sultana, Haque, Wilshire, Veltex USA, Veltex Apparel, Veltex Industries, Moore &

25 Associates and Moore, jointly and severally, in the amount of One Hundred Million,

26 Seventy Eight Thousand, and Six Hundred Twenty One Dollars ($100,078,621) on

27 the First Claim For Relief.

28 //

[PROPOSED] FINAL JUDGMENT

II.

IT IS HEREBY ORDERED, ADJUDICATED AND DECREED that Veltex's Application for Entry of Default Judgment under the Second Claim for Relief Is GRANTED. The Court finds that the shares and assets of Veltex were fraudulently transferred and conveyed to Matin, Sultana, Wilshire and others entities or persons associated with Matin or under his ownership or control without consideration in violation of Sections 4(a) and 5(b) of the Uniform Fraudulent Transfer Act, California Civil Code § 3439.04(a) and (b). The Court further finds that Veltex was deprived of and lost the fair market value of its stock and assets in the amount of One Hundred Million, Seventy Eight Thousand, and Six Hundred Twenty One Dollars ($100,078,621) as a direct and proximate cause of such fraudulent conveyances. The Court further finds that as the officers and directors of Veltex, Matin and Haque are responsible for such fraudulent transfers and that Matin, Sultana, Wilshire, Veltex USA, Veltex Apparel, and Veltex Industries were all recipients and transferees of such stock and assets of Veltex with specific knowledge of the fraudulent nature of transfers.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment be and hereby is entered in favor of Veltex and against Defendants Matin, Sultana and Haque, jointly and severally, in the amount of One Hundred Million, Seventy Eight Thousand, and Six Hundred Twenty One Dollars ($100,078,621) on the Second Claim for Relief.

III.

IT IS HEREBY ORDERED, ADJUDICATED AND DECREED that Veltex's Application for Entry of Default Judgment under the Third Claim For Relief Is GRANTED. The Court finds that Matin and Haque conspired to breach and did breach their fiduciary duties to Veltex in that they conveyed the stock and assets of Veltex to Matin, Sultana, Wilshire and others without consideration to convert such stock and assets to their own use. The Court further finds that Veltex

4

1 was deprived of and lost the fair market value of its stock and assets in the amount

2 of One Hundred Million, Seventy Eight Thousand, and Six Hundred Twenty One

3 Dollars ($100,078,621) as a direct and proximate result of such breach of fiduciary

4 duty.

5   IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that

6 judgment be and hereby is entered in favor of Veltex and against Defendants Matin

7 and Haque in the amount of One Hundred Million, Seventy Eight Thousand, and Six

8 Hundred Twenty One Dollars ($100,078,621) on the Third Claim for Relief.

9   **IV.**

10   **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff

11 Veltex Corporation shall recover from Defendants Javeed Azziz Matin, Mazhar

12 Haque, Wilshire Equity, Inc. *aka* Wilshire Equities, Inc., Tanzila Sultana, Michael J.

13 Moore, Moore & Associates, Chartered, Veltex Apparel, Inc., Veltex Industries, Inc.

14 and Veltex USA, Inc., jointly and severally, the judgment as follows:

15   (a)   Damages, in the amount of: $100,078,621.00

16   (b)   Prejudgment Interest of: $ 793,442.86[2] ($1,069.33/day)

17   (c)   Attorneys' Fees pursuant

18   to L.R. 55-3 in the amount of: $ 2,005,172.42

19   (d)   Costs and Expenses of: $ 3,859.95

20   **TOTAL**   **$102,881,096.23**

21   **V.**

22   **IT IS HEREBY ADJUDGED AND DECREED** that, for the reasons stated

23 above and in the Court's Order to Submit Proposed Final Judgment, dated January

24 17, 2012, this action is dismissed with prejudice and without costs, except as
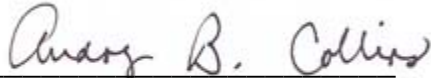
25

26 [2] The sum of $793,442.86 represents prejudgment interest accruing on the damages
27 amount at the federal statutory rate from March 10, 2010, the date of filing of the
    lawsuit, up to and including March 20, 2012. Prejudgment interest accrues at the per
28 diem rate of $1,069.33/day thereafter until the date of entry of judgment.

1 provided for above and except as provided for in the Settlement Agreements

2 Plaintiff Veltex Corporation entered into with American Registrar & Transfer Co.

3 ("ARTCO"), Defendant Jaak U. Olesk ("Olesk"), and Defendant Brad B. Haynes

4 ("Haynes").

5 Without affecting the finality of this Judgment in any way, this Court hereby

6 retains continuing jurisdiction over this litigation, including jurisdiction over: (a) all

7 further proceedings concerning the administration, consummation, enforcement, and

8 implementation of the Settlements by and between Plaintiff Veltex Corporation and

9 ARTCO, Plaintiff Veltex Corporation and Olesk, and Plaintiff Veltex Corporation

10 and Haynes; and (b) all parties hereto for the purpose of construing, enforcing and

11 administering the Judgment.

12 There being no just reason for further delay, pursuant to Rule 54(b) of the

13 Federal Rules of Civil Procedure, the Clerk of the Court is ordered to enter this Final

14 Judgment forthwith and without further notice.

15

16 Dated: March 26, 2012

17

18 _____
    Hon. Audrey B. Collins

19 United States District Judge

20

21

22 Submitted by:

23

24 BLECHER & COLLINS, P.C.

25 By: /S/ Maryann R. Marzano
        Maryann R. Marzano
        Attorneys for Plaintiff

26 VELTEX CORPORATION

27

28

[PROPOSED] FINAL JUDGMENT