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**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JAN 23 1988

*J. Casaus* CLERK

ENTERED ON DOCKET

1-23-89

MEDARD SCHMITZ and HENNES-  
WESTEX CORP. a Nevada  
corporation,

Plaintiffs,

v.

Civil No. 87-1066-JB

HERBERT KUGLMEIER,

Defendant.

J U D G M E N T

THE COURT having entered its findings of fact and  
conclusions of law herewith;

Wherefore,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. Defendant HERBERT KUGLMEIER shall immediately convey  
the interest which he acquired from Hennes-Westex Corporation in  
the Mining Lease dated January 15, 1979, to Plaintiff MEDARD  
SCHMITZ, individually, for the price of one dollar.

2. Defendant HERBERT KUGLMEIER shall immediately pay to  
Plaintiff MEDARD SCHMITZ, individually, the sum of \$835,228.00,  
which represents royalties received under the Mining Lease through  
April 22, 1988; that, further, Defendant HERBERT KUGLMEIER shall  
immediately pay to Plaintiff MEDARD SCHMITZ 80% of any and all  
royalties received subsequent to that date.

CERTIFIED a True Copy of the  
original filed in  
Jesse Casaus, Clerk

**SEAL**  
**Affixed**

*J. Casaus*  
Deputy


3. Defendant HERBERT KUGLMEIER shall immediately pay to Plaintiff MEDARD SCHMITZ the sum of \$65,398.93, for past indebtedness and for the purchase price of the stock in Sampson Resources, Inc., and Southwest Housing Industries, Inc., which he failed to deliver, as more fully set forth in the Court's findings and conclusions.

4. Defendant HERBERT KUGLMEIER shall immediately pay to Plaintiff MEDARD SCHMITZ the sum of \$40,000.00, for his failure to return the aquamarine gemstone.

5. All of the sums to be paid herein shall bear interest at the statutory rate from date hereof until fully paid.

6. Plaintiff MEDARD SCHMITZ shall recover all costs incurred herein.

DATED this 20<sup>th</sup> day of January, 1989.

  
United States District Judge

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OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*Keller & McLead*  
'91 JAN 16 A9:04

EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEE \$ 6.00

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