

P. 2
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Chris Daniel - District Clerk
Harris County
ED101J016612887
By: angella Dozler

CAUSE NO.2011-44260

<p>TRANSAMERICA LIFE INSURANCE, COMPANY</p> <p>VS.</p> <p>PERRY PODARAS, CHRISTI CALLAHAN, ADRIENNE XYDIS, DEMETRIOS PODARAS, MIKELIS PODARAS AND AMERICAN CAPITAL FUNDING, LLC.</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>IN THE DISTRICT COURT OF</p> <p>HARRIS COUNTY, TEXAS</p> <p>152ND JUDICIAL DISTRICT</p>
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AMENDED AGREED JUDGEMENT

On this day the Court considered the above-styled and numbered cause and considered the Settlement Agreement executed by the Parties and finds that the Agreed Judgment should be Approved and Granted

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that:

- 1) The life insurance proceeds deposited in the registry of the Court by Transamerica Life Insurance Company are \$83,128.54 plus any accrued interest;
- 2) Defendant, American Capital Funding, LLC, will receive the sum of \$21,769.13 pursuant to an irrevocable assignment of benefits executed by the parties hereto. A check in the amount of \$21,769.13 will be made payable to American Capital Funding, I.LC and will be made available to Robert Kruckemeyer, attorney for Mikelis Podaras, for forwarding to American Capital Funding, I.LC. American Capital Funding, LLC has not made an appearance herein.
- 3) Defendants, Perry Podaras, Christi Callahan and Adrienne Xydis agree to take nothing.
- 4) Defendant, Mikelis Podaras will receive the sum of \$33,000.00. The check payable to Mikelis Podaras will be made available to Robert Kruckemeyer, attorney for Mikelis Podaras.
- 5) Defendant, Demetrios "Jimmy" Podaras, will receive the sum of \$28,359.41 plus any interest that has accrued on the amount on deposit in the registry of the Court. The check payable to Demetrios "Jimmy" Podaras will be made available to Patrick Primavera, attorney for Demetrios "Jimmy" Podaras.

IT IS FURTHER ORDERED that any costs and expenses will be borne by the party

including said:

IT IS FURTHER ORDERED that upon finding as described above, any and all remaining claims pursuant to this cause of action, will be dismissed with prejudice (by operation of law).

IT IS FURTHER ORDERED that this Agreed Judgment dispose of all parties and all claims, and all relief not expressly granted herein is denied.

IT IS FURTHER ORDERED that the District Clerk shall immediately distribute the proceeds as set forth above upon the entry of this order.

SIGNED on DEC 01 2011
12.1.11


PRESIDENT JUDGE

APPROVED AND AGREED:

BY: 
MCCOLLOR & PRIMAVERA, PLLC

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AND ADRIENNE XYDIS