

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

FILED

2020 JUL 10 AM 9:33

SARAH B. BRADSHAW, CLERK
KANAWHA COUNTY CIRCUIT COURT

RIGGS COMMERCIAL REALTY, LLC,

Plaintiff,

v.

Civil Action No. 18-C-287
Judge Webster

CONTEMPORARY GALLERIES OF
WEST VIRGINIA, INC.,

Defendant.

ORDER OF JUDGMENT

On February 24, 2020 came Plaintiff, by Counsel, and Defendant, by Counsel, for trial in the above referenced matter. Plaintiff proceeded with its case-in-chief and then rested. Upon the Plaintiff resting, the Defendant moved for a directed verdict based upon Plaintiff's failure to submit evidence that it was a licensed real estate broker at the time of the transactions under consideration. Whereupon, the Plaintiff moved, and the Court granted, Plaintiff permission to reopen its case on this issue. Plaintiff introduced evidence which was challenged by Defendant. The Court then denied Defendant's motion for directed verdict. Defendant next proceeded with its case-in-chief and then rested.

This matter was then submitted to the Jury for deliberations. The trial of this matter concluded on February 25, 2020. After due deliberations, the Jury returned a verdict in favor of Plaintiff and against Defendant on the issues of liability and damages. The Jury awarded the following damages to

Plaintiff:

Damages relating to the leased building: \$14,760.00

Damages relating to the sold building: \$102,000.00

With respect to the leased building, Plaintiff is entitled to pre-judgment interest on the award of \$14,760.00 at the statutory rate of 4.75% per annum from April 1, 2017 through the date of entry of this Order.

With respect to the sold building, Plaintiff is awarded pre-judgment interest on the award of \$102,000.00 at the statutory rate of 4.75% per annum from May 15, 2017 through the date of the entry of this Order.

With respect to the total verdict of \$116,760, Plaintiff is awarded post-judgment interest from the date of entry of this Order at the statutory rate of 4.75% per annum, until paid.

It is accordingly, **ORDERED, ADJUDGED and DECREED**, that Plaintiff be and, hereby is, awarded judgment against Defendant as follows:

1. \$14,760.00 related to the leased building, together with pre-judgment interest on such sum at the statutory rate of 4.75% per annum from April 1, 2017 through the date of entry of this Order;

2. \$102,000.00 related to the sold building, together with pre-judgment interest on such sum at the statutory rate of

4.75% per annum from May 15, 2017 through the date of the entry of this Order; and,

3. Post-judgment interest on the total verdict of \$116,760.00 at the statutory rate of 4.75% per annum, until the judgment is paid in full.

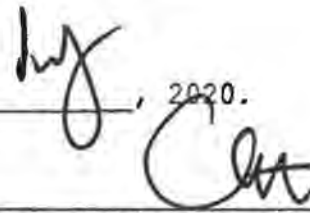
The objections and exceptions of the parties are noted.

Defendant has been copied with this proposed order and approves as to form only.

The objections and exceptions of counsel are noted and Defendant preserves its right to appeal.


The Clerk of the Court is directed to forward a certified copy of this entered Judgment Order to counsel of record.

ENTERED this 10 day of July, 2020.

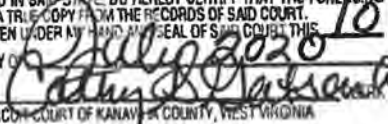


Judge of the Circuit Court of
Kanawha County, West Virginia

Prepared by:



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STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT,
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS
DAY OF July 2020 10

CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Copy to:

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Counsel for Defendant
2020-02-25_Ord of Judgment.wpd