

1 David Liebrader, Esq. SBN 165111
2 The Law Offices of David Liebrader
3 601 s. Rancho Dr. Ste. D-29
4 Las Vegas, NV 89106
5 PH: (702) 380-3131

6 Thomas D. Mauriello (CA Bar No. 144811)
7 MAURIELLO LAW FIRM, APC
8 1181 Puerta Del Sol, Suite 120
9 San Clemente, CA 92673
10 Tel: (949) 542-3555
11 Fax: (949) 606-9690
12 Email: tomm@maurlaw.com
13 Attorneys for Plaintiffs

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

AUG 29 2019

DAVID H. YAMASAKI, Clerk of the Court

BY: _____  DEPUTY

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

Troy Suntheimer and Robin Suntheimer,
Plaintiffs

v.

Timothy Peabody, Monarch Capital
Investment Fund LLC, Monarch Capital
Investment Group LLC,
Defendants

Case No. 30-2017-00963810

Dept. CX-103

Hon. Ronald Bauer

**FINDINGS OF FACTS, CONCLUSIONS
OF LAW AND JUDGMENT**

JUDGMENT

This matter came on for trial on July 15, 2019 in Dept. C-34 of the Orange County Superior Court, Judge Frederick Horn presiding.

Based upon the evidence submitted, including the joint exhibits and the testimony of Plaintiffs and Defendant the Court finds as follows:

That the promissory notes issued by Defendant Monarch Capital Investment Fund, LLC are securities, and Defendant Timothy Peabody is a control person pursuant to Corporations Code §§ 25019 and 25504, respectively;

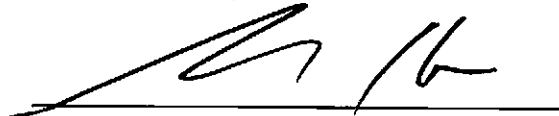
1 That Defendant Monarch Capital Investment Fund, LLC sold unqualified, non
2 exempt securities to Plaintiffs in violation of Corporations Code §§ 25110 and 25503;

3 That Defendants Monarch Capital Investment Fund, LLC and Monarch Capital
4 Investment Group, LLC having otherwise failed to appear or defend in this matter, and
5 their defaults having been entered by the clerk on May 9, 2019; that based upon Plaintiffs'
6 motion for default judgment, and the evidence received at trial, default judgment shall
7 issue against them.

8 Wherefore Plaintiffs Robin and Troy Suntheimer ("Plaintiffs") shall have
9 judgment against Defendant Timothy Peabody in the amount of \$102,960; and
10 separately, Plaintiffs shall have judgment against Defendants Monarch Capital
11 Investment Fund, LLC and Monarch Capital Investment Group, LLC in the amount of
12 \$238,819.

13 This judgment shall bear interest at the legal rate.

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15 Dated this 29 th day of July, 2019

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18 Hon. Frederick P. Horn

19 Judge, Orange County Superior Court
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