

Case No. 20-8901-158

JOHN BISNAR, IN HIS CAPACITY AS TRUSTEE FOR	§	
JPB IK PLAN, ASSIGNEE OF INTERSTATE	§	
RESTORATION, LLC AND INDIVIDUALLY,	§	
	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
	§	
v.	§	158TH JUDICIAL DISTRICT
	§	
1) NUVIEW MOLECULAR PHARMACEUTICALS, INC.;	§	
2) NUVIEW LIFE SCIENCES, INC.; and	§	DENTON COUNTY, TEXAS
3) PAUL CROWE,	§	
	§	
<i>Defendants.</i>	§	

AMENDED ORDER GRANTING TURNOVER

Having heard evidence submitted by NuView Life Sciences, Inc. and Paul Crowe (“Judgment Debtors”) and argument from their attorneys, the Court finds that Judgment Creditor John Bisnar, in his capacity as Trustee for JPB IK Plan (the “Plan”) is entitled to aid from the Court to satisfy the amount owed to the Plan by Judgment Debtors NuView Molecular Pharmaceuticals, Inc., NuView Life Sciences, Inc. and Paul Crowe under the *Order Granting Motion for Partial Summary Judgment on Bisnar’s claim for Breach of Rule 11 Agreement* (signed on 10-05-2020), made final by the *Order Accepting Election of Remedies, Dismissing Remaining Claims & Rendering Final Judgment* (signed 12-04-2020) (the “Judgment”).

Within 14 days from the date this Order is signed, NuView Life Sciences, Inc. and Paul Crowe (“Judgment Debtors”) will turn over the following property for the satisfaction of the Judgment to Denton County Constable Pct. 1 Johnny Hammons (the “Constable”),

to be sold by the Constable as directed herein, and after deduction of any costs charged by the Clerk and Constable related to the Sale, any remaining proceeds from the Sale will be paid by the Constable without delay to Plan, the amount of the proceeds paid over then applied as a credit to the Judgment on the date the Plan receives the proceeds:

- “Property”:
 - a 1991 Grand Wagoneer; and a 2008 Range Rover (the “Vehicles”)¹; and
 - the \$750.00 cash at Chase Bank, Park City, Utah identified under oath by Judgment Debtors, and any money since March 16, 2021 at Chase Bank, Park City, Utah exceeding the \$750.00 (the “Money”).²

Credit to the Judgment for the Money.

At the same time the Constable pays to the Plan any proceeds from the Sale of one or both of the Vehicles, the Constable will pay to the Plan the Money delivered by Judgment Debtors. The Money paid over by the Constable to the Plan will be applied as a credit to the Judgment on the date the Plan receives the Money.

Time and Place of Delivery:

Within 14 days from the date this Order is signed, on a Monday, Tuesday, Wednesday, Thursday or Friday between the hours of 9:00 a.m. – 4:00 p.m. Central Time,

¹ With all documents and records related to the Vehicles. All certificates of title or other documents needed to transfer ownership of the Vehicles should be fully executed and delivered with the Vehicles.

² If there is more money than \$750.00 at Chase Bank, Park City, Utah, on the date Judgment Debtors receive notice of this Order, Judgment Debtors’ failure to supplement discovery to identify this higher amount has wrongfully prevented the Plan from identifying it, and therefore, Judgment Debtors will turn over to the Constable the entire amount of money in excess of \$750.00 at Chase Bank, Park City, Utah that Judgment Debtors own, control, or possess.

Judgment Debtors will deliver the Vehicles and the Money to the Constable at: 401 W. Hickory, Suite 229, Joseph A. Carroll, Denton, Texas 76201. Time is of the essence for the delivery of the Property by the Judgment Debtors to the Constable.

Upon Receipt of the Vehicles, the Constable will safely store the Vehicles and sell the Vehicles as if they are under a Writ of Execution that is returnable in thirty days. No writ or other process will issue, but the Constable may charge the fees required by Denton County for writs of execution when personal property is sold. The Constable shall: 1) proceed without delay to post a Notice of Sale; 2) conduct the sale of the Vehicles within 30 days from receipt of the Vehicles; and 3) file a due Return with this Court in writing and signed by the Constable officially, stating concisely what the Constable has done in pursuance of the requirements of this Order and of the law.

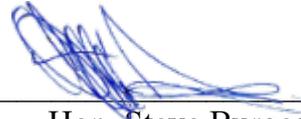
With respect to the Sale, the Notice for the sale of personal property must be posted for at least ten successive days immediately prior to the date of the sale at both the “courthouse door” and at the place where the sale is to be made. The Sale will be without reserve and without a minimum opening bid, for cash to the highest bidder. The Plan, as judgment creditor, may “credit bid” (*i.e.* apply the amount of its bid as a credit on its judgment).

The Plan recovers from Judgment Debtors, jointly and severally, reasonable and necessary attorney’s fees in the amount of \$2,000.00 through the date this Order is signed, in connection with the preparation and presentment of the Plan’s Motion for Turnover and

this amended order granting same. The Court takes judicial notice that the attorneys' fees awarded herein are reasonable and necessary.

SO ORDERED.

SIGNED on May 4, 2021.



Hon. Steve Burgess
PRESIDING JUDGE