

NO. 2006-52676

H. Dean Cubley

Plaintiff,

vs.

Eagle Broadband, Inc.

Defendant.

IN THE DISTRICT COURT

HARRIS COUNTY, TEXAS

333RD JUDICIAL DISTRICT

FILED
CHARLES BACARISS
DISTRICT CLERK
HARRIS COUNTY, TEXAS

07 MAR -2 PM 2:34

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Order Granting Plaintiffs Motion for Partial Summary Judgment

BE IT REMEMBERED that on this day came on for consideration Plaintiff's Affirmative Motion for Partial Summary Judgment and No-Evidence Motion for Partial Summary Judgment filed by Plaintiff and the Court, after considering the motion, the competent summary judgment evidence, and arguments of counsel, and taking judicial notice of its file, finds that the following motions are well-taken and should be in all things granted;

X Affirmative Motion for Partial Summary Judgment.

X No-Evidence Motion for Partial Summary Judgment.

It is, therefore, ORDERED that H. Dean Cubley shall recover the following from Eagle Broadband, Inc.:

judgment finding liability against Defendant, Eagle Broadband for the unpaid balance on the Note of \$1,923,052.59;

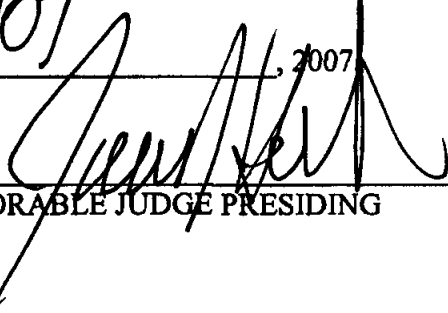
accrued interest in the amount of \$ 814,113.41 through March 1, 2007;

Plaintiffs' reasonable attorneys' fees in an amount to be determined
costs of suit ;and
such other and further relief to which Plaintiffs may be justly entitled

All costs of court are taxed to Defendant

SIGNED this _____ day of _____, 2007

5/3/07



HONORABLE JUDGE PRESIDING



I, Charles Bacarisse, District Clerk of Harris County, Texas, certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date
Witness my official hand and seal of office
this _____

Certified Document Number: _____

CHARLES BACARISSE, DISTRICT CLERK
HARRIS COUNTY, TEXAS