

NOV 15 2010

J. DAVID NAVARRO, Clerk  
By INGA JOHNSON  
DEPUTY

LAWRENCE G. WASDEN  
Attorney General

ALAN CONILOGUE  
Deputy Attorney General  
State of Idaho  
P. O. Box 83720  
Boise, ID 83720-0031  
Telephone: 208.332.8093  
Fax 208.332.8016  
ISBN 3196  
alan.conilogue@finance.idaho.gov

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR ADA COUNTY**

STATE OF IDAHO, DEPARTMENT  
OF FINANCE, SECURITIES  
BUREAU,

Plaintiff,

vs.

DEREK F. C. ELLIOTT, JAMES B.  
CATLEDGE, et al.,

Defendants.

Case No. CV OC 09-03323

**ORDER GRANTING PLAINTIFF'S MOTION  
FOR PARTIAL SUMMARY JUDGMENT  
AGAINST DEFENDANTS JAMES  
CATLEDGE, IMPACT, INC., AND IMPACT  
NET WORTH, LLC**

The above-captioned matter having come before this Court on the 10<sup>th</sup> day of November, 2010, pursuant to Plaintiff's Motion for Partial Summary Judgment against Defendants James Catledge, Impact, Inc., and Impact Net Worth, LLC, and good cause appearing in support therefore,

Plaintiff's Motion for Partial Summary Judgment against Defendants James Catledge, Impact, Inc., and Impact Net Worth, LLC, is HEREBY GRANTED as to Count Five of Plaintiff's Verified Complaint.

FURTHER, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. That Defendants JAMES CATLEDGE, IMPACT, INC., and IMPACT NET WORTH, LLC are ordered to comply with the Consent Order to Cease and Desist issued July 19, 2007 and pay rescission to Plaintiff in the amount of \$1,982,406.59. Plaintiff will forward rescission payments to investors who elected rescission.

2. That Plaintiff is further awarded pre-judgment interest in the amount of \$413,827.38.

3. That Defendants JAMES CATLEDGE, IMPACT, INC., and IMPACT NET WORTH, LLC pay Plaintiff the amount of ten thousand dollars (\$10,000) for violating the Consent Order to Cease and Desist, pursuant to Idaho Code § 30-14-603(b)(2)(C).

4. That Plaintiff is hereby awarded a total money judgment against Defendants JAMES CATLEDGE, IMPACT, INC., and IMPACT NET WORTH, LLC, jointly and severally, in the amount of two million four hundred six thousand two hundred thirty-three dollars and ninety-seven cents (\$2,406,233.97).

DATED this 12 day of Nov., 2010.

**RONALD J. WILPER**

\_\_\_\_\_  
Ronald Wilper  
District Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 19 day of Nov, 2010, I caused a true and accurate copy of the foregoing ORDER GRANTING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANTS JAMES CATLEDGE, IMPACT, INC., AND IMPACT NET WORTH, LLC to be served on the following by the designated means:

Alan Conilogue  
Deputy Attorney General  
PO Box 83720  
Boise, ID 83720-0031

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- hand delivery
- fax: (208) 332-8016

Monte N. Stewart  
BELNAP STEWART TAYLOR &  
MORRIS PLLC  
12550 W. Explorer Dr., Ste. 100  
Boise, ID 83713

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- fax: (208) 345-4461
- email: [stewart@belnap.com](mailto:stewart@belnap.com)

Thomas A. Banducci  
BANDUCCI WOODARD  
SCHWARTZMAN, PLLC  
802 W. Bannock St., Ste. 500  
Boise, ID 83702

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- fax: (208) 342-4455
- email: [tbanducci@bwslawgroup.com](mailto:tbanducci@bwslawgroup.com)

Trevor Walker  
611 Ensign Drive  
Ammon, ID 83406

- U.S. mail, postage prepaid
- certified mail
- overnight mail
- email: [cornerstone10@gmail.com](mailto:cornerstone10@gmail.com)

DAVID NAVARRO

INGA JOHNSON

Clerk

SEAL