

Also FRAUD - in Judge Paul Banner NOT stating - as required by Rule 13 - just WHY he sanctioned. It would of course be incriminating - that he PUNISHED me - for having made a "civil RICO" counter-claim - a First Amendment Right - and "well-intentioned" at that.



I certify this to be a true and exact copy of the original on file in the District Clerk's Office, Van Zandt County, Texas.

Candi Scott

No. 00-00619

THE LAW OFFICES OF
G. DAVID WESTFALL, P.C.

Plaintiff

v.

UDO BIRNBAUM

Defendant/Counter-Plaintiff

G. David Westfall, Christina Westfall, and
Stefani Podvin,

Counter-Defendants

IN THE DISTRICT COURT

Never a "plaintiff-type". Never made a pleading against me. Also out by summary judgment long ago.

294th JUDICIAL DISTRICT

This document is a FRAUD. This was a HEARING - not a TRIAL. There were no "pleadings" - they never were "plaintiff-types", nothing was ADJUDICATED. A PURE OUTRIGHT FRAUD. Also JURY cause - no jury here

VAN ZANDT COUNTY, TEXAS

ORDER ON MOTIONS FOR SANCTIONS

On July 30, 2002, came on to be heard, Motions for Sanctions filed by G. David Westfall, Christina Westfall, and Stefani Podvin, as well as to be heard Motions for Sanctions filed by Udo Birnbaum. The plaintiff, The Law Office of G. David Westfall, P.C. (the "Plaintiff"), appeared in person by representative and by attorney of record. The defendant, Udo Birnbaum, appeared in person, pro se. The counter-defendant, G. David Westfall, appeared by representative and by attorney of record. The counter-defendants, Christina Westfall and Stefani Podvin appeared in person and by attorney of record. All parties announced ready for a hearing on all the pending motions for sanctions currently on file in this matter at the time of the hearing.

Based upon the pleadings of the parties, the evidence presented at trial and the evidence presented at the sanctions hearing, and the arguments of counsel and by the pro se defendant, the Court is of the opinion that the Movants, Christina Westfall and Stefani Westfall are entitled to prevail on their claim for sanctions against the Defendant, Udo Birnbaum.

Trial - by jury - was April 8, 2002. Can't have a SECOND trial - a BENCH trial at that - on July 30, 2002 - over 3 months later. ALL FRAUD ALL FRAUD

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Never a "plaintiff-type". Never made a pleading against me. Also out by summary judgment long ago.

Also FRAUD - in "finagling" a mere and untimely motion for sanctions - into a "pleading" in the cause

It is therefore, **ORDERED, ADJUDGED and DECREED** that the Counter-Defendants, Christina Westfall and Stefani Podvin are **awarded** damages as a sanction against and to be paid by defendant, Udo Birnbaum, to Christina Westfall and Stefani Podvin as follows:

A. **Christina Westfall and Stefani Podvin** are **awarded** jointly and severally the amount of \$50,085.00 as reimbursement for their joint attorney's fees.

B. Christina Westfall is **awarded** actual damages for her personal inconvenience in the amount of \$1,000.00, and she is further awarded punitive damages for the harassment caused to her in the amount of \$5,000.00.

C. Stefani Podvin is **awarded** actual damages for her personal inconvenience in the amount of \$1,800.00, and she is further awarded punitive damages for the harassment caused to her in the amount of \$5,000.00.

D. The Court denies the request for a finding of any sanctions to be awarded in favor of G. David Westfall, individually.

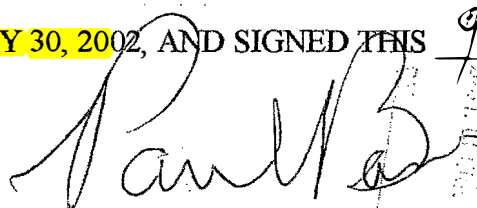
E. The Court denies the request for a finding of any sanctions to be awarded in favor of Udo Birnbaum.

Nothing ADJUDICATED. This ORDER - is NOT a judgment

IT IS FURTHER ORDERED THAT **the judgment** here rendered shall bear interest at the rate of ten percent (10%) from July 30, 2002, until paid.

All other relief regarding any motions for sanctions on file in this matter not expressly granted in this order is hereby denied.

THIS **JUDGMENT** RENDERED ON **JULY 30, 2002**, AND SIGNED THIS 9 day of August, 2002.



JUDGE PRESIDING

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