

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

JUL 03 2000

TIMOTHY R. WARD, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

IN RE:)
)
 BENEFUND, INC.,)
)
 Debtor.)

**Case No. 97-00295-M
(Chapter 7)**

KENNETH HANSON, Trustee of the)
Cornerstone Investment Trust, NAOMI)
HANSON, ERNEST HANSON, HARVEY)
BURROWS AND JOYCE BURROWS,)

Adv. Proc. No. 97-0066-M

Plaintiffs,)

vs.)

BENEFUND, INC., INLAND)
COMMERCIAL INVESTMENTS, INC.)
INVESTOR'S GUARANTY GROUP,)
INC., AZURE HILLS HOLDING COMPANY,)
C.L.T., STEPHEN M. BUFORD, VERNON R.)
TWYMAN, JR. and MICHAEL H. MCILVAIN)

Defendants.)

DEFAULT JUDGMENT

On the 27th day of June, 2000, the Plaintiffs' Motion To Determine Amount of Default Judgment came on for hearing. Plaintiffs Kenneth Hanson, Trustee of the Cornerstone Investment Trust, Naomi Hanson, Ernest Hanson, Harvey Burrows and Joyce Burrows appeared by and through their attorney, Steven K. Balman of the law firm of Sneed Lang, P.C. The Trustee of the bankruptcy estate of BeneFund, Inc., Scott Kirtley appeared personally.

The Court, having considered the evidence presented by the Plaintiffs and the pleadings on file, finds as follows:

1. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). As a consequence, this Court has authority to consider and rule upon Plaintiffs' Motion.
2. Notice of this hearing was duly given by mail.
3. Default was entered against Defendant Mike McIlvain on July 14, 1998.
4. Default was entered against Defendant Inland Commercial Investments, Inc. on July 14, 1998.
5. Default was entered against Defendant Azure Hills Holding Company, C.L.T. on March 10, 1999.
6. Default was entered against Defendant Stephen M. Buford on May 19, 1999.
7. Damages against the various defaulting Defendants are not completely liquidated.
8. Defendant Mike McIlvain is liable to Plaintiffs for actual damages \$12,000.00.
9. Defendant Inland Commercial Investments, Inc. is liable to Plaintiffs for actual damages \$268,000.00.
10. Defendant Azure Hills Holding Company, C.L.T. is liable to Plaintiffs for actual damages \$268,000.00.
11. Defendant Stephen M. Buford is liable to Plaintiffs for actual damages \$268,000.00.
12. McIlvain is liable for prejudgment interest from and after April 13, 1995.

13. Inland Commercial Investments, Inc., Azure Hills Holding Company, C.L.T. and Stephen Buford are liable for prejudgment interest from and after April 1, 1995.

14. Plaintiffs are entitled to recover actual damages, prejudgment interest and post judgment interest from Defendants Stephen Buford, Inland Commercial Investments, Inc., Azure Hills Holding Company, C.L.T. and Michael McIlvain.

15. The Court reserves its rulings with respect to costs and attorneys fees. The Plaintiffs are granted leave to file an application with respect to costs and attorneys' fees.

It is therefore ordered, adjudged and decreed that Defendant Mike McIlvain is liable to Plaintiffs, and each of them, for \$12,000.00;

It is therefore ordered, adjudged and decreed that Defendants Inland Commercial Investments, Inc., Azure Hills Holding Company, C.L.T. and Stephen M. Buford are jointly and severally liable to Plaintiffs, and each of them, for \$268,000.00.

Dated this 3rd day of July, 2000.


TERRENCE L. MICHAEL, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT