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**FILED**  
 DATE: 4/22/13 TIME:          am/pm  
 By:     CW      
 CLERK, FSM SUPREME COURT  
 KOSRAE  
 TRIAL DIVISION

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 ATTORNEY FOR TROPICAL WATERS KOSRAE INC.  
 AND RONALD BICKETT

SUPREME COURT  
 FEDERATED STATES OF MICRONESIA  
 TRIAL DIVISION - STATE OF KOSRAE

FSM Development Bank,	)	CIVIL ACTION NO. 2012-2003
	)	
Plaintiff,	)	
v.	)	JOINT MOTION;
	)	STIPULATED ORDER IN AID OF
TROPICAL WATERS KOSRAE, INC.,	)	JUDGMENT
CLAUDE PHILLIP, AND RONALD	)	
BICKETT,	)	
	)	
Defendants.	)	
	)	

Plaintiff, Federated States of Micronesia Development Bank ("FSMDB"), and Defendant Tropical Waters Kosrae Inc. ("Defendant TWKI"), through their respective counsels of record, have stipulated and agreed to entry of an Order in Aid of Judgment. The parties have stipulated to judgment and said Stipulated Judgment is being filed concurrently. The parties now jointly request the entry of an Order in Aid of Judgment, as set forth below.

The parties are in agreement that Plaintiff FSMDB shall be entitled to an Order in Aid of Judgment, pursuant to 6 FSMC Section 1409 as follows:

1. The parties agree that the amount due from Defendant TWKI to FSMDB is the amount specified in the Stipulated Judgment. The principal amount of the judgment shall accrue statutory post-judgment interest at 9% per annum.

2. Defendant TWKI hereby conveys full possession and ownership to FSMDB of all water bottling machines, equipment, fixtures situated at the water bottling business premises at parcel no. 082-K-12, Pukusrik Wan, Lelu Municipality, Kosrae State as set forth in the Order Granting Pre-judgment Possession entered on March 12, 2013.

3. Defendant TWKI hereby conveys full possession and ownership to FSMDB of all raw materials, supplies, inventory, fixtures and other equipment including but not limited to: resin, colorant, fuel, bottles, caps, labels, boxes, plastic shrink wrap, pallets, laboratory equipment and supplies, office equipment, furniture, computers, air conditioners, generators and all other equipment, fixtures, inventory or supplies situated at the water bottling business premises at parcel no. 082-K-12, Pukusrik Wan, Lelu Municipality, Kosrae State.

Defendant TWKI does not convey, transfer or assign to FSMDB any rights to the following: Label design (including copy, text,

images, color scheme, bsr code) and three trademarks registered in the United States: Word mark "Where purity reigns", serial no. 78921105, registration no. 3469683 dated 7/15/2008; and Word mark "LELU", serial no. 78651293, registration no. 3469383 dated 7/15/2008; and Word mark "LELU", serial no. 78921058, registration no. 3469682 dated 7/15/2008.

4. Defendant TWKI further assigns to FSMDB all of Defendant TWKI's income and right to exclusive possession of the bottling water business premises situated at parcel no. 082-K-12, Pukusrik Wan, Lelu Municipality, Kosrae State pursuant to that certain lease agreement dated February 24, 2004 between Claude Phillip and Tropical Waters Kosrae Inc., and Defendant TWKI hereby vacates the premises and provides the keys and access to the premises, fixtures, equipment and improvements to FSMDB.

5. Defendant TWKI shall execute a settlement agreement with FSMDB, and any other documents necessary to implement the terms of this order in forms acceptable to FSMDB.

6. Upon completion of all actions stated above, FSMDB agrees to:

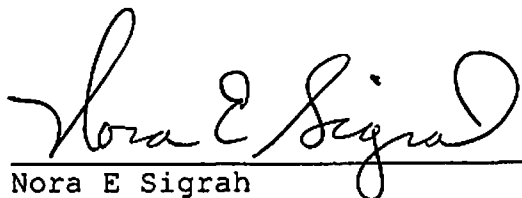
a. Waive its claims for attorney's fees and costs incurred in enforcement of the note, chattel mortgage and assignment of income against Tropical Waters Kosrae Inc.

b. File a satisfaction of judgment as to the First, Fourth and Fifth Causes of Action of the Complaint against Defendant Tropical Waters Kosrae Inc.

7. If either party fails to comply with this Order and is required to take further action to enforce this Order, or if Plaintiff is required to take further action to otherwise collect on the judgment, the party in default shall be responsible for legal fees and costs necessary to compel compliance with this order as the Court may allow.

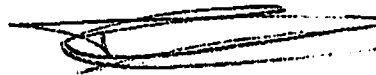
SO STIPULATED:

Dated: April 22, 2013



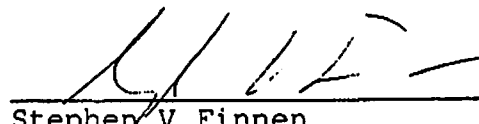
Nora E Sigrah  
Attorney for Plaintiff  
FSM Development Bank

Dated: April 18, 2013



Ronald P Bickett  
President  
Tropical Waters Kosrae Inc.

Dated: April 19, 2013



Stephen V Finnen  
Attorney for Defendants  
Tropical Waters Kosrae Inc.  
And Ronald Bickett

**ORDER**

The foregoing stipulation is approved and the joint motion is hereby granted. An Order in Aid of Judgment is hereby issued

according to and embracing the terms set forth in the stipulation and joint motion.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Dennis K Yamase  
Associate Justice

ENTERED this \_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Clerk of Courts

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Joint Motion; Stipulated Order in Aid of Judgment was served on the following by hand delivery on April 22, 2013:

Canney Palsis  
MLSC Kosrae  
Tofol, Kosrae, FM 96944

