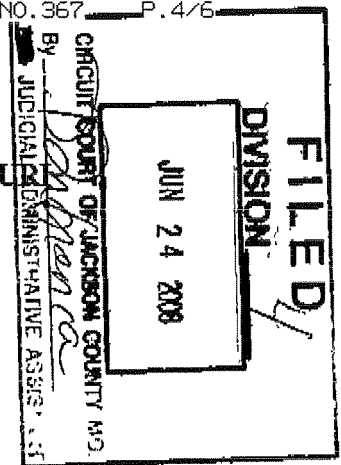


IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY



STEVEN MITCHELL, ET.AL.,  
Plaintiff,

vs.

RESIDENTIAL FUNDING, ET.AL.,  
Defendants.

Case No.:03CV220489  
Division 4

NUNC PRO TUNC  
JUDGMENT AND ORDER

This cause came on for trial by jury beginning December 3, 2007. Plaintiffs appeared through representatives and the respective attorneys.

Upon selection of a petit jury and after opening statements, the parties presented evidence.

On January 3, 2008, the instructions were read to the jury and closing arguments were made. The case was submitted to the jury upon the evidence presented, the instructions of the Court and the arguments of counsel. On January 4, 2008, the jury, after due deliberations, returned to open court with verdicts for damages against all defendants and in FAVOR OF PLAINTIFFS.

**IT IS ORDERED AND ADJUDGED** that judgment be entered in favor of Plaintiff Class and against Defendant Residential Funding Corp.:

For unauthorized settlement charges or fees in the amount of \$798,832.00

For past interest paid in the amount of \$3,414,962.00

For future interest payable in the amount of \$115,254.00 and

For punitive damages in the amount of \$92,000,000.00

**IT IS ORDERED AND ADJUDGED** that judgment be entered in favor of Plaintiff Class and against Defendant Homecomings Financial, LLC.:

For past interest paid in the amount of \$682,992.00 and

For future interest payable in the amount of \$23,050.00

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**IT IS ORDERED AND ADJUDGED** that judgment be entered in favor of Plaintiff Class and against Defendant Household Finance Corporation III:

- For unauthorized settlement charges or fees in the amount of \$83,494.00
- For past interest paid in the amount of \$316,710.00
- For future interest payable in the amount of \$8,626.00, and
- For punitive damages in the amount of \$4,500,000.00

**IT IS ORDEDER AND ADJUDGED** that judgment be entered in favor of Plaintiff Class and against Defendant Wachovia Equity Servicing, LLC:

- For unauthorized settlement charges or fees in the amount of \$65,407.00
- For past interest paid in the amount of \$309,550.00
- For punitive damages in the amount of \$2,500,000.00

**IT IS FURTHER ORDERED AND ADJUDGED** that plaintiffs Steven and Ruth Mitchell as representatives of the class shall be jointly awarded an incentive payment of \$30,000.00, which shall be paid from the class common fund with a pro rata reduction to the recovery of the class members other than Steven and Ruth Mitchell on a per loan basis;

**IT IS FURTHER ORDERED AND ADJUDGED** that pre-judgment interest be assessed against Defendants and in favor of Plaintiff Class in the total amount of \$759,484.00;

- Defendant Residential Funding Corp. in the amount of \$642,066.00
- Defendant Household Finance Corporation III in the amount of \$64,910.00
- Defendant Wachovia Equity Servicing LLC in the amount of \$52,508.00

**IT IS FURTHER ORDERED AND ADJUDGED** that 35% of the total class common fund shall be awarded to Class Counsel. Class counsel shall be awarded statutory attorney's fees in the amount of \$3,165,231.00;

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Defendant Residential Funding Corp. in the amount of \$2,680,001.09

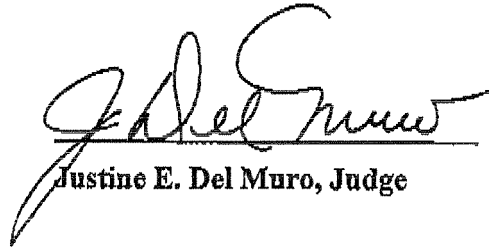
Defendant Household Finance Corporation III in the amount of \$253,218.48

Defendant Wachovia Equity Servicing, LLC in the amount of \$232,011.43

**IT IS SO ORDERED.**

June 24, 2008

Date

  
Justine E. Del Muro, Judge

I hereby certify that a copy of the foregoing  
was made available for pick up 4 day of  
October, 2008 to:

R. Frederick Walters, Attorney for Plaintiff: Walters Bender Strohbehn & Vaughan PC; 2500 City Center Square,  
1100 Main, Kansas City, MO 64105-2112.

Roy W. Arnold, Attorney for Defendant Residential Funding LLC: Reed Smith, LLP., 435 Sixth Avenue,  
Pittsburg, PA 15219-1886.

Randolph G. Willis, Attorney for Defendant Residential Funding LLC: Rasmussen Willis Dickey &  
Moore LLC, 9200 Ward Parkway, Suite 310, Kansas City, MO 64114

Scott W. Martin, Attorney for Defendant Wachovia Servicing LLC: Husch & Eppenberger, LLC, 1200 Main,  
Suite 2300, Kansas City, MO 64105

Todd W. Ruskamp, Attorney for Defendant Household Finance Corp., et.al.: Shook Hardy & Bacon, LLP,  
2555 Grand Blvd., Kansas City, MO 64108

Diana L. Infranca, Judicial Administrative Assistant, Division 4