

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

COLORTYME, INC.,

Plaintiff,

v.

ARE NOT, INC. and
DAVID J. ARNDT,

Defendants.

ORDER

03-C-0404-C

In an opinion and order dated April 13, 2004, I granted plaintiff Colortyme Inc.'s motion for summary judgment on its breach of contract claim against defendants Are Not, Inc. and David Arndt. I directed the parties to submit evidence on the amount defendants owe plaintiff. The original amount on the note and guaranty was \$137,618.38, with an interest rate of 7%. Pat Sumner, plaintiff's director of franchise development and finance, has submitted an affidavit in which he avers that defendant Are Not made four payments totaling \$7,756.48, leaving a balance of \$129,861.90. The amount of interest that has accrued on the debt as of the date of this order is \$11,232.23, for a total debt of \$141,094.13. Defendants have not disputed this amount. Accordingly, IT IS ORDERED

that the clerk of court is directed to enter judgment in favor of plaintiff Colortyme, Inc. in the amount of \$141,094.13 and close the case.

Entered this 30th day of April, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge