The Order of the Court is stated below:
Dated: October 05, 2026 10:33:16 AM **/s/** RONALD G. RUSSELL
District Court Judge

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IN THE SECOND JUDICIAL DISTRICT COURT

MORGAN DEPARTMENT, STATE OF UTAH

FERNWOOD, L.C.,
a Utah limited liability company,
dba Ponderosa Phase II,

Plaintiff/Petitioner,

v.

MORGAN COUNTY,

Defendant/Respondent.

JUDGMENT

Case No. 26050077

Honorable Ronald Russell

Judgment is entered in favor of Defendant Morgan County and against Plaintiff Fernwood, L.C., as follows:

1. Count One of Fernwood's Complaint/Petition is dismissed pursuant to Utah Rule of Civil Procedure 12(b)(6).

2. Count Two of Fernwood's Complaint/Petition is dismissed pursuant to Utah Rule of Civil Procedure 12(b)(6).

3. Count Three of Fernwood's Complaint/Petition is dismissed without prejudice for lack of subject-matter jurisdiction pursuant to Utah Rule of Civil Procedure 12(b)(1).

4. All claims asserted by Fernwood in this action have been dismissed, and no claims for relief asserted in the Complaint/Petition remain pending.

5. Morgan County's claim for attorney fees and costs under Section 8.13 of the Development Agreement remains for later determination pursuant to Utah Rule of Civil Procedure 73. The unresolved claim for attorney fees and costs does not affect the finality of this Judgment.

This Judgment resolves all claims for relief asserted in Fernwood's Complaint/Petition.

DATED this ___ day of _____, 2026.

BY THE COURT:

HONORABLE RONALD G. RUSSELL
District Court Judge

Submitted by:

MORGAN COUNTY ATTORNEY'S OFFICE

/s/ Janet Christoffersen
Janet Christoffersen
Deputy Morgan County Attorney
Attorney for Defendant Morgan County

APPROVED AS TO FORM:

By: /s/ Richard Bednar
Attorney for Plaintiff/Petitioner Fernwood, L.C.
Signed by Janet Christoffersen with Richard Bednar's permission, given by email.