

**COPY FOR  
CERTIFICATION**

**FILED**

*2/22/02 10:00*  
MICHAEL K. JEANES, Clerk

SUPERIOR COURT OF ARIZONA

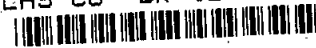
*mm*  
Deputy

MARICOPA COUNTY

ALLAN WACHTER, M.D., an individual  
and on behalf of his marital community;  
SETH CHEMICALS, INC., a Nevada  
corporation; NATHAN M. TECHNOLOGIES  
LIMITED PARTNERSHIP, a Nevada limited  
partnership,

No. CV 99-09334

02-223817 JUN-13-2002 10:38pm  
PINELLAS CO BK 12055 PG 1723



Plaintiffs,

**JUDGMENT**

v.

02-4683-CI-HNO

JOHN LEZDEY and NOREEN LEZDEY,  
husband and wife; DARREN LEZDEY, an  
individual; JARETT LEZDEY, an individual;  
J & D SCIENCE, INC., a Nevada  
corporation; J.L. TECHNOLOGY LIMITED  
PARTNERSHIP, a Nevada limited  
partnership; SONORAN DESERT  
CHEMICALS LIMITED LIABILITY  
COMPANY, a Nevada limited liability  
company; PROTEASE SCIENCES, INC., a  
Nevada corporation; JOHN DOES 1 THRU  
100,

**CERTIFIED COPY**

02 JUN 13 AM 9:48

FILED  
CML COURT RECORDS DEPT.

Defendants.

PROTEASE SCIENCES, INC., a Nevada  
corporation; and JOHN LEZDEY,

Counterclaimants,

v.

ALAN M. WACHTER and SUSAN  
WACHTER, husband and wife,

Counterdefendants.

Judgment against Defendants Jarett and Darren Lezdey having been ordered on  
December 15, 2001 (signed on January 9, 2002); Judgment against Defendant Noreen  
Lezdey as to her Counterclaims having been ordered on January 9, 2002; this cause  
having come on for trial to the Court on January 15, 2002, the  
Plaintiffs/Counterdefendants being represented by their attorney, David C. Tierney, and  
the Defendants Noreen Lezdey, Darren Lezdey, Jarett Lezdey and J.L. Technology

426699v2/WA090-2

SACKS TIERNEY P.A., LAWYERS  
4250 NORTH DRINKWATER BOULEVARD  
FOURTH FLOOR  
SCOTTSDALE, ARIZONA 85251-3647

**RETURN TO COURT RECORDS**

1 Limited Partnership neither present in person nor represented by counsel, despite  
2 repeated advance<sup>1</sup> notice, and the Court having heard the evidence offered by  
3 Plaintiffs/Counterdefendants at trial and having duly considered the same,

4 The Court finds all facts in favor of the Plaintiffs/Counterdefendants as required to  
5 sustain this Judgment. The Court is aware of a 1/8/02 bankruptcy filing by J & D  
6 Science, Inc. and a 1/14/02 bankruptcy filing by John Lezdey and, as a result, no relief is  
7 ordered against John Lezdey or J & D Science, Inc., at this time.

8 The Court further finds that the conduct of Defendants Darren Lezdey, Jarett  
9 Lezdey and J.L. Technology Limited Partnership giving rise to this Judgment (a) was  
10 fraudulent and done as part of a conspiracy to assist another (John Lezdey) to commit  
11 fraud which breached his fiduciary duties to Plaintiffs Wachter; and (b) constituted  
12 willful and malicious injury done by Darren Lezdey, Jarett Lezdey, John Lezdey, and J.L.  
13 Technology Limited Partnership to Plaintiffs and their property. The injuries suffered by  
14 Plaintiffs were the result of deliberate and intentional acts in which Darren, Jarett and  
15 John Lezdey and J.L. Technology Limited Partnership intended the consequences not  
16 simply the acts themselves. The Court has made findings of fact in this regard in the  
17 Permanent Injunction issued on the same date as this Judgment.

18 Good cause appearing, IT IS HEREBY ORDERED granting Plaintiffs Judgment  
19 on their Complaint against Defendants Noreen Lezdey, Darren Lezdey, Jarett Lezdey,  
20 and J.L. Technology Limited Partnership, jointly and severally, for compensatory  
21 damages in the principal sum of eleven million, six hundred twenty-nine thousand, nine  
22 hundred sixty-six dollars (\$11,629,966.00), with interest thereon at the rate from January  
23 15, 2002, until paid.

24 IT IS FURTHER ORDERED granting Plaintiffs punitive damages against  
25 Defendants Noreen Lezdey, Darren Lezdey, Jarett Lezdey, and J.L. Technology Limited  
26

27 <sup>1</sup> Including the Court's statement to John Lezdey and Jarett Lezdey in the Pretrial  
28 Conference on 1/9/02 that a bankruptcy filed by one defendant does not stay the case as  
to other defendants.

1 Partnership, jointly and severally, in the sum of five million, eight hundred fourteen  
2 thousand, nine hundred eighty-three dollars (\$5,814,983.00), with interest thereon at the  
3 rate from January 15, 2002, until paid.

4 IT IS FURTHER ORDERED granting Counterdefendants judgment on all the  
5 Counterclaims asserted against them whether asserted individually or asserted on behalf  
6 of Defendant Protease Sciences, Inc.

7 IT IS FURTHER ORDERED declaring pursuant to Arizona Revised Statutes  
8 Section 12-1831, et seq., as follows:

9 1. Allan and Susan Wachter are the owners (subject to the Voting Trust  
10 Agreement dated January 22, 1992) of fifty percent (50%) of the issued and outstanding  
11 shares of stock of Protease Sciences, Inc., a Nevada corporation;

12 2. Allan and Susan Wachter (both individually and as part of the Voting  
13 Trust) have not at any time transferred or assigned, or agreed to transfer or assign, to  
14 Darren Lezdey or Jarett Lezdey or any other person any shares of Protease Sciences, Inc.  
15 stock;

16 3. Darren Lezdey and Jarett Lezdey are not, and have never been, officers or  
17 directors of Protease Sciences, Inc.;

18 4. Allan Wachter was not at any time removed as a director or officer of  
19 Protease Sciences, Inc., and did not at any time resign as a director or officer of Protease  
20 Sciences, Inc.

21 5. All actions taken by John Lezdey, Darren Lezdey and/or Jarett Lezdey  
22 purporting to remove Allan Wachter as a director or officer of Protease Sciences, Inc.,  
23 have been invalid and of no force or effect;

24 6. The agreement by and among John Lezdey, Allan Wachter, Protease  
25 Sciences, Inc., and Sonoran Desert Chemicals, L.L.C., effective as of December 31,  
26 1992, whereby Protease was appointed as Sonoran's agent to exercise certain delegated  
27 powers and duties, is valid and enforceable;

28 . . .

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1 7. The License Agreement dated April 16, 1998 between Protease Sciences,  
2 Inc. and AlphaOne Pharmaceuticals, Inc. (now known as Arriva Pharmaceuticals, Inc.)  
3 was duly executed on behalf of Protease by Allan Wachter as its authorized  
4 representative;

PINELLAS COUNTY FLA.  
OFF REC BK 12055 PG 1726

5 8. Protease Sciences, Inc., has never terminated the April 16, 1998 License  
6 Agreement with AlphaOne Pharmaceuticals, Inc. (now Arriva), and that License  
7 Agreement remains in full force and effect.

8 9. Protease Sciences, Inc., did not authorize John Lezdey to execute the  
9 agreements dated September 2, 1999 and March 2000 whereby Protease purportedly  
10 licensed certain patents to AlphaMed Pharmaceuticals, Inc. (or any other such  
11 agreements with AlphaMed) and all such agreements are void and of no legal force or  
12 effect.

13 IT IS FURTHER ORDERED granting Plaintiffs their reasonable attorneys' fees  
14 against Defendants Noreen Lezdey, Darren Lezdey, Jarett Lezdey and J.L. Technology  
15 Limited Partnership, jointly and severally, in the sum of \$ 425,000.<sup>00</sup>,  
16 with interest thereon at the rate from the date of this Judgment, until paid.

17 IT IS FURTHER ORDERED granting Plaintiffs their taxable costs against  
18 Defendants Noreen Lezdey, Darren Lezdey, Jarett Lezdey and J.L. Technology Limited  
19 Partnership, jointly and severally, with interest thereon from the date of the taxation of  
20 costs.

21 The Court expressly finds under Rule 54(b), Arizona Rules of Civil Procedure,  
22 that there is no just reason for delay and directs the clerk to enter this Judgment forthwith.

23 DATED this 22 day of February, 2002.



24  
25 STATE OF FLORIDA - PINELLAS COUNTY  
I hereby certify that the foregoing is  
a true copy as the same appears among Edward O. Burke  
the files and records of this court. Judge of the Superior Court  
This 14 day of OCT 14, 2004

26  
27 By: Karleen F. De Blaker  
KARLEEN F. De BLAKER  
Clerk of Circuit Court  
28 Deputy Clerk

17,27,96.0 +  
6,714,983.0 +  
425,000.0 +  
17,996,949.0 \*

PINELLAS COUNTY FLA.  
OFF REC BK 12055 PG 1727

**CERTIFIED COPY**

The foregoing instrument is a full, true and correct copy of the original on file in this office.

**FEB 25 2002**

Attest \_\_\_\_\_ 20 \_\_\_\_\_

MICHAEL K. JEANES, Clerk of the Superior Court of the State of Arizona, in and for the County of Maricopa.

By **S.F. SODERSTROM** Deputy

**CIRCUIT/COUNTY COURT, PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

CASE NO: 02-4683-CI

ALLAN WACHTER M D  
an individual and on behalf of his marital  
community et al  
Plaintiff(s),

vs.  
JOHN LEZDY and  
NOREEN LEZDEY et al  
Defendant(s)

FILED  
CIVIL COURT REC DEPT  
2002 JUN 21 AM 8:45  
*Karleen F. De Blaker*

**NOTICE OF FILING OF FOREIGN JUDGMENT**

The Clerk of the Sixth Judicial Circuit in and for Pinellas County, Florida, hereby gives notice that pursuant to *Sections 55.501-55.509*, Florida Statutes, a judgment rendered against you in the State of **ARIZONA** on **FEBRUARY 22, 2002**, was filed with the Clerk on JUNE 13, 2002, and has been recorded in the Official Records of Pinellas County at Clearwater, Florida in O.R. Book **12055**, Page **1723**. Copies of said judgment and the supporting affidavit filed therewith are attached to this Notice.

The name and post office address of the judgment creditor (or his Florida attorney) are as follows:

**EDWIN G RICE**  
**POST OFFIC EBOX 3333**  
**TAMPA, FL 33601**

Any pleadings filed with the Clerk regarding this matter should include the case number and the above-styled caption. Dated this 21ST day of JUNE, 2002.

**KARLEEN F. De BLAKER**  
Clerk of the Circuit Court



STATE OF FLORIDA - PINELLAS COUNTY  
I hereby certify that the foregoing is  
a true copy as the same appears among  
the files and records of this county.  
This 007 14 day of 2004  
KARLEEN F. De BLAKER  
Clerk of Circuit Court

By:

*Karleen F. De Blaker*  
Deputy Clerk

By:

*Carolee Kepper*  
Deputy Clerk