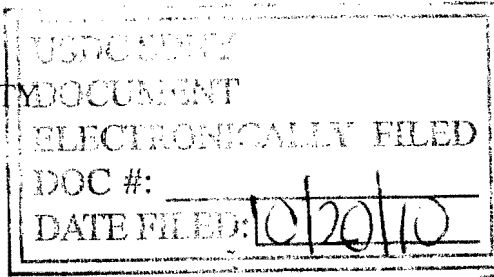


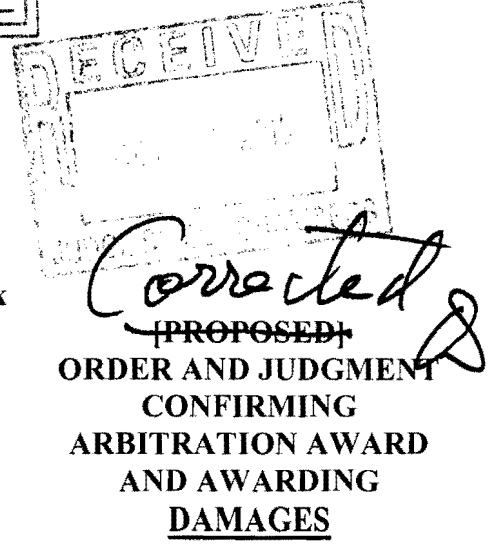
Max Folkenflik  
FOLKENFLIK & McGERITY  
1500 Broadway, 21<sup>st</sup> Floor  
New York, NY 10036  
Telephone: (212) 757-0400  
Facsimile: (212) 757-2010  
max@fmlaw.net



**CORRECTED**

*Attorneys for Chesapeake Capital Group, Inc.*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
BUTZEL LONG, a professional corporation,

Interpleader Plaintiff,

vs.

VALTECH, S.A., CHESAPEAKE CAPITAL GROUP,  
INC., and NICOLAS GABRIEL MARIE CECCALDI,

Interpleader Defendants.  
-----X

**ORDER AND JUDGMENT  
CONFIRMING  
ARBITRATION AWARD  
AND AWARDING  
DAMAGES**

10 Civ. 3322 (RWS)

**WHEREAS**, this Interpleader Action having been commenced on April 20, 2010, by Butzel Long, a professional corporation, against Interpleader Defendants Valtech, S.A. ("Valtech") and Chesapeake Group of New York, Inc. (denominated in the caption "Chesapeake Capital Group, Inc.") and Nicholas Gabriel Marie Ceccaldi ("Ceccaldi"), and

**WHEREAS**, a dispute had arisen between Valtech and Chesapeake over an \$870,000 fee claim to have been earned by Chesapeake for work it performed for Valtech. Butzel Long was an escrow agent, appointed by Valtech and Chesapeake to hold the \$870,000 in Escrow, and Ceccaldi was a shareholder in Valtech and in that capacity asserted a claim in a French Court proceeding against the \$870,000 (which was the subject of arbitration) seeking to stay the Arbitration, among other relief, and

**WHEREAS**, Chesapeake filed an Answer to the Interpleader Complaint on August 3, 2010 and asserted cross-claims against Valtech and Ceccaldi, including claims that in commencing the French court proceeding, Ceccaldi was under the direction and the agent of Valtech, and

**WHEREAS**, on July 13, 2010 the Arbitrator rendered his Award, and

**WHEREAS**, Chesapeake filed in this Action, a Motion to Confirm the Arbitration Award, which motion was granted by Order dated September 10, 2010, and Chesapeake was directed to settle a judgment on motion, and

**WHEREAS**, no payment has been made by Valtech to Chesapeake, but pursuant to the Order of this Court entered September 13, 2010 and September 21, 2010, the clerk has disbursed the \$870,000 held in this Interpleader Action to Chesapeake, which amount shall be a credit to judgment debtor, Valtech, against the amount of the judgment entered, and

**WHEREAS**, Valtech and Ceccaldi having defaulted in answering this Action, defaulted in Answering the cross-claims filed Chesapeake, and defaulted in answering the Motion to Confirm the Arbitration Award all of which were duly served as evidenced by proofs of service on file with this Court,

**IT IS HEREBY ORDERED, ADJUDGED and DECREED**, as follows:

- (1) that the Arbitration Award dated July 13, 2010, a copy of which is annexed hereto as Exhibit A is hereby confirmed,
- (2) that Chesapeake Capital Group, Inc. (a/k/a) Chesapeake Group, New York, Inc. ("Chesapeake") recover from Defendant, Valtech S.A., (Valtech") the amount of \$1,327,812.65, and in addition pre-judgment interest of \$33,580.53, through October 14, 2010 and additional interest thereafter at the rate of 5%, compounded quarterly,
- (3) that Interpleader Defendants Valtech, S.A., and Nicholas Gabriel Marie Ceccaldi recover nothing and all claims which were or could have been

brought by them against Chesapeake in this Interpleader Action are hereby dismissed with prejudice,

- (4) that Chesapeake recover costs from Defendant Valtech S.A. and Defendant Nicholas Gabriel Marie Ceccaldi jointly and severally on account of costs and fees incurred in this Action by Chesapeake, (inclusive of \$34,323.23 of costs and fees of plaintiff Butzel Long for which Chesapeake has incurred contractual responsibility), the amount of \$67,169.46, with post-judgment interest at the legal rate of interest.

Dated: New York, New York  
October 19 2010

  
U.S.D.J.

**United States District Court  
Southern District of New York  
Office of the Clerk  
U.S. Courthouse  
500 Pearl Street, New York, N.Y. 10007-1213**

**Date:**

**In Re:**

-v-

**Case #:** ( )

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. **No personal checks are accepted.**

**Ruby J. Krajick, Clerk of Court**

by: \_\_\_\_\_

, Deputy Clerk

**APPEAL FORMS**

United States District Court  
Southern District of New York  
Office of the Clerk  
U.S. Courthouse  
500 Pearl Street, New York, N.Y. 10007-1213

-----X  
-V-  
-----X

**NOTICE OF APPEAL**

civ. ( )

Notice is hereby given that \_\_\_\_\_  
(party)  
hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment [describe it]

entered in this action on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(day) (month) (year)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State and Zip Code)

Date: \_\_\_\_\_ ( ) \_\_\_\_\_ - \_\_\_\_\_  
(Telephone Number)

**Note:** You may use this form to take an appeal provided that it is received by the office of the Clerk of the District Court within 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 1

United States District Court  
Southern District of New York  
Office of the Clerk  
U.S. Courthouse  
500 Pearl Street, New York, N.Y. 10007-1213

-----X  
-V-  
-----X

MOTION FOR EXTENSION OF TIME  
TO FILE A NOTICE OF APPEAL

civ. ( )

Pursuant to Fed. R. App. P. 4(a)(5), \_\_\_\_\_ respectfully  
(party)  
requests leave to file the within notice of appeal out of time. \_\_\_\_\_  
(party)  
desires to appeal the judgment in this action entered on \_\_\_\_\_ but failed to file a  
(day)  
notice of appeal within the required number of days because:

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State and Zip Code)

Date: \_\_\_\_\_

( ) \_\_\_\_\_  
(Telephone Number)

**Note:** You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

FORM 2

United States District Court  
Southern District of New York  
Office of the Clerk  
U.S. Courthouse  
500 Pearl Street, New York, N.Y. 10007-1213

-----X  
-V-  
-----X

NOTICE OF APPEAL  
AND  
MOTION FOR EXTENSION OF TIME

civ. ( )

1. Notice is hereby given that \_\_\_\_\_ hereby appeals to  
(party)  
the United States Court of Appeals for the Second Circuit from the judgment entered on \_\_\_\_\_.  
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time  
\_\_\_\_\_ respectfully requests the court to grant an extension of time in  
(party)  
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, \_\_\_\_\_ states that  
(party)  
this Court's judgment was received on \_\_\_\_\_ and that this form was mailed to the  
(date)  
court on \_\_\_\_\_  
(date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State and Zip Code)

Date: \_\_\_\_\_

( ) \_\_\_\_\_ - \_\_\_\_\_  
(Telephone Number)

**Note:** You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

FORM 3

**United States District Court  
Southern District of New York  
Office of the Clerk  
U.S. Courthouse  
500 Pearl Street, New York, N.Y. 10007-1213**

-----X  
-V-  
-----X

**AFFIRMATION OF SERVICE**

civ. ( )

I, \_\_\_\_\_, declare under penalty of perjury that I have  
served a copy of the attached \_\_\_\_\_

upon \_\_\_\_\_

whose address is: \_\_\_\_\_

Date: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State and Zip Code)