

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

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CAROL CHESEMORE, DANIEL DONKEL,  
THOMAS GIECK, MARTIN ROBBINS, and  
NANNETTE STOFLET, on behalf of  
themselves, individually, and on behalf of all  
others similarly situated,

Plaintiffs,

v.

ALLIANCE HOLDINGS, INC., DAVID B.  
FENKELL, PAMELA KLUTE, JAMES  
MASTRANGELO, STEPHEN W. PAGELOW,  
JEFFREY A. SEEFELDT, TRACHTE  
BUILDING SYSTEMS, INC. EMPLOYEE  
STOCK OPTION PLAN, ALLIANCE  
HOLDINGS, INC. EMPLOYEE STOCK  
OPTION PLAN, A.H.I., INC., ALPHA  
INVESTMENT CONSULTING GROUP, LLC,  
JOHN MICHAEL MAIER, AH TRANSITION  
CORPORATION, and KAREN FENKELL,

Defendants;

PAMELA KLUTE, JAMES MASTRANGELO,  
and JEFFREY A. SEEFELDT,

Cross Claimants,

v.

ALLIANCE HOLDINGS, INC., and  
STEPHEN W. PAGELOW,

Cross Defendants.

FINAL JUDGMENT  
IN A CIVIL CASE

Case No. 09-cv-413-wmc

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This action came for consideration before the court with District Judge William M. Conley presiding. The issues have been considered and a decision has been rendered.

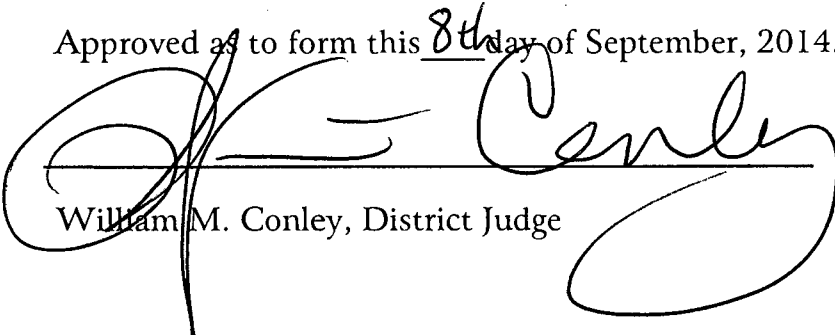
IT IS ORDERED AND ADJUDGED


that judgment is entered in favor of plaintiffs against defendant David Fenkell on the unsettled claims as follows:

- a. David Fenkell is liable to restore to the Alliance ESOP \$2,044,014.42;
- b. David Fenkell shall indemnify defendants Mastrangelo, Seedeldt and Klute for any compensatory relief they are required to pay;
- c. David Fenkell shall be barred from continuing as trustee of the Alliance ESOP; and
- d. David Fenkell is liable to plaintiffs for attorneys's fees and costs in the total amount of \$1,854,008.50.

All other claims in this action are dismissed pursuant to the parties' settlement agreements, and this case is closed with the court retaining jurisdiction over enforcement of those agreements.

Approved as to form this 8<sup>th</sup> day of September, 2014.

  
William M. Conley, District Judge

  
Peter Oppeneer, Clerk of Court

9/8/14

Date