

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
VOLUSIA COUNTY, FLORIDA

CASE NO.: 2010-20890-CINS
DIVISION: 02

AMERICAN DETECTION TECHNOLOGIES,
LLC,

Plaintiff,

vs.

WILLIAM HEISER,

Defendant.

CLERK OF THE CIRCUIT
& CTY. COURT VOLUSIA CTY., FL
CC 64

MAR 23 2012

FILED

FINAL JUDGMENT IN FAVOR OF PLAINTIFF

THIS ACTION was tried before the Court on March 5 – 8, 2012. On the evidence presented, having heard the testimony and evaluated the credibility of the witnesses, and having considered the arguments of counsel, the Court finds, determines, and adjudges as follows:

1. As to Counts I and II of the Amended Complaint: the Employment and Noncompetition Agreements at issue were, and at all times remained, valid and enforceable contracts between the parties. The Defendant materially breached said contracts by his failure to devote his full working time and attention and best efforts and duties for the benefit of the Plaintiff. However, the Court has concluded that no damages may be awarded as to Counts I and II, because the court is unable to determine the amount of damages resulting from Defendant's breaches.

2. Plaintiff waived or dismissed Count III of the Amended Complaint before trial.

205.938

3. As to Counts IV and V of the Amended Complaint, the Plaintiff has not proven by clear and convincing evidence that the Defendant committed civil theft as defined by Florida Statutes §772.11.

4. With respect to Count VI of the Amended Complaint, Plaintiff has proven by the greater weight of the evidence that the Defendant did, through a series of individual transactions during the period of 2006 through 2010, take and convert monies of the Plaintiff totaling FOUR HUNDRED SEVENTY-SEVEN THOUSAND DOLLARS (\$477,000).

5. Counts VII and VIII of the Amended Complaint, and all requests for relief contained in Defendant's Counterclaim were not proven.

Therefore, based on the foregoing,

IT IS ADJUDGED that Plaintiff, AMERICAN DETECTION TECHNOLOGIES, LLC, 3 Park Avenue, 30th Floor, New York, New York 10016 shall recover from Defendant, WILLIAM HEISER, 690 Meta Lane, New Smyrna Beach, Florida 32168, the sum of FOUR HUNDRED SEVENTY-SEVEN THOUSAND DOLLARS (\$477,000) in compensatory damages that shall bear interest at the rate of 4.75% a year, for which let execution issue forthwith.

This Court retains jurisdiction regarding the issues of attorney's fees, taxable costs, and determination of prejudgment interest due.

DONE AND ORDERED in Chambers at DeLand, Volusia County, Florida, this 22d day of March, 2012.



ROBERT K. ROUSE, JR.
CIRCUIT JUDGE

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