

**IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI**

THE SOCIETY OF LLOYD'S,)	
)	Case No.: 04CC-005430
Plaintiff,)	
v.)	Division: 3
)	
ROBERT W. FUERST, et. al.,)	
)	
Defendants.)	
)	

**JOINT MOTION OF DEFENDANTS TO DECLARE
THAT JUDGMENT IS NOT A JUDGMENT FOR
MONEY AND MAY NOT BE EXECUTED UPON AS SUCH**

COMES NOW Defendants Cynthia Todorovich, Frank Fuerst, Walter A. Klein and John Shillington (collectively "Defendants"), by and through their undersigned counsel and state to this honorable Court as follows:

1. The instant action filed by Plaintiff, a citizen of the United Kingdom, purports to invoke the Missouri Registration of Foreign Judgment Act and attendant Missouri Supreme Court Rules in order to have a judgment entered by the United States District Court for the Eastern District of Missouri (the "Federal Judgment") deemed to be a Judgment of this Circuit Court.
2. The Federal Judgment was never tried in any court in this country. Rather, it was only entered as the result of a Complaint filed asking the District Court to enforce a default judgement originally entered against Defendants in the United Kingdom (the "English Judgment").
3. The English Judgment was entered in "UK pounds".

4. The Federal Judgment was likewise entered in "UK pounds".

5. This Court is bound to enforce the Federal judgment as entered.

6. Any writ of execution issued by the clerk of this Court must follow the judgment exactly and must strictly conform to applicable rules.

7. UK pounds are not valid for the payment of debts in the United States of America, or, for that matter, in the state of Missouri.

8. This Court, pursuant to its authority under Rule 87 of the Missouri Rules of Civil Procedure, may grant Defendants declaratory relief requested in this motion and the relief Defendants seek before this Court.

9. This Court, acting through its clerk, should not issue a writ of execution or a garnishment in support of the English Judgment or the Federal Judgment for the recovery of money and any writ or garnishment should limit the sheriff to collecting actual UK pounds then in the possession of any of Defendants or any garnishee properly summoned by Plaintiff, and the Court should further declare that any judgment, not being entered in money as required under Missouri law, does not constitute a lien on any property of any of the Defendants found in this county.

WHEREFORE, Defendants pray that this Court issue an order limiting the effect of any writ of execution or garnishment as set out above and find that no lien from this judgment shall emanate.

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By: 

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served this 5th day of January, 2005, by first-class mail, postage prepaid, to the following parties:

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