

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO.: 502014CA000805XXXXMB-  
AG

RYSURG, LLC, a Michigan limited liability  
company and RYNERSON, INC., a Florida  
corporation,

Plaintiffs,

vs.

JOHN R. CHOATE, individually, and as Principal  
Owner of Choate, Inc. and CHOATE, INC.,  
A Michigan corporation,

Defendants.

---

JOHN R. CHOATE and CHOATE, INC.,

Counter-Plaintiffs and  
Third Party Plaintiffs,

vs.

RYSURG, LLC, a Michigan limited liability  
Company, RYSURG, LLC, a Florida limited  
liability company, RYNERSON, INC., a Florida  
corporation, JAMES R. RYNERSON, and  
BLEPHEX, LLC a Florida limited liability company,

Counter-Defendants and  
Third-Party Defendants

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**FINAL JUDGMENT**

THIS CAUSE came before the court upon the Motion to Enforce Settlement Agreement  
and Release claiming a breach of paragraph 4 of the amendment to the settlement agreement

filed by Rysurg LLC, Rynerson, Inc., James R. Rynerson, and BlephEx LLC. Having reviewed the motion, the court file, argument of respective counsel and the testimony of witnesses, and having considered the evidence admitted, and being otherwise fully advised in the premises, it is ORDERED AND ADJUDGED that the motion is GRANTED for the reasons set forth therein and as set forth on the record, as follows:

1. The court finds and concludes that JOHN R. CHOATE, MYCO INDUSTRIES INC., and CHOATE INC. breached the parties' Settlement Agreement.

2. FINAL JUDGMENT is hereby entered on behalf of Rysurg LLC (119 S.E. Parkway Ct., Suite 250; Franklin, TN 37064), Rynerson, Inc. (119 S.E. Parkway Ct., Suite 250; Franklin, TN 37064), James R. Rynerson (119 S.E. Parkway Ct., Suite 250; Franklin, TN 37064), and BlephEx LLC (119 S.E. Parkway Ct., Suite 250; Franklin, TN 37064) (collectively, "RYNERSON PARTIES") against JOHN R. CHOATE (510 Highland Avenue, #332 Milford, Michigan 48381), CHOATE, INC. (510 Highland Avenue, #332 Milford, Michigan 48381), and MYCO INDUSTRIES, INC. (510 Highland Avenue, #332 Milford, Michigan 48381), jointly and severally (collectively "CHOATE PARTIES"). The RYNERSON PARTIES shall have and recover from the CHOATE PARTIES jointly and severally the amount of \$162,000.00, plus pre-judgment interest in the amount of \$10,113.92 (the court has calculated pre-judgment interest from June 27, 2019) for a total of \$172,113.92, which shall bear interest at the applicable statutory rate, for which sum let execution issue 45 days after the entry of this Final Judgment or upon notice filed with the Court by any party that settlement negotiations have reached an impasse, whichever is earlier.

3. The CHOATE PARTIES shall each complete under oath Florida Rules of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments, and serve it on the attorneys for the BLEPHEX PARTIES within forty-five (45) days from the date of this Final Judgment, unless the Final Judgment is satisfied or post-judgment discovery is stayed. A copy of the Fact Information Sheet is attached to the Final Judgment.

4. Jurisdiction of this case is retained to enter further orders that are proper to compel the CHOATE PARTIES to comply with the 2017 Settlement Agreement, fully complete Form 1.977,

including all attachments, and return it to the attorneys for the BLEPHEX PARTIES and for the issue of attorney's fees and costs.

**DONE AND ORDERED** in West Palm Beach, Palm Beach County, Florida.



50-2014-CA-000805-XXXX-MB 05/29/2020  
Donald Hafele  
Judge

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---

**FACT INFORMATION SHEET - JOHN CHOATE**

Full Legal Name:

Nicknames or Aliases:

Residence Address:

Mailing Address (if different):

Telephone Numbers: (Home)

(Business)

Name of Employer:

Address of Employer:

Position or Job Description:

Rate of Pay: \$ \_\_\_ per \_\_\_. Average Paycheck: \$ \_\_\_ per

Average Commissions or Bonuses: \$ \_\_\_ per \_\_\_\_\_ Commissions or bonuses are based on

Other Personal Income: \$ \_\_\_ from

(Explain details on the back of this sheet or an additional sheet if necessary.)

Social Security Number: \_\_\_\_\_ Birthdate:

Driver's License Number:

Marital Status: \_\_\_\_\_ Spouse's Name:

\*\*\*\*\*

*Spouse Related Portion*

Spouse's Address (if different):

Spouse's Social Security Number: \_\_\_\_\_ Birthdate:

Spouse's Employer:

Spouse's Average Paycheck or Income: \$ \_\_\_\_ per

Other Family Income: \$ \_\_\_\_ per \_\_\_\_\_

(Explain details on back of this sheet or an additional sheet if necessary.) Describe all other accounts or investments you may have, including stocks, mutual funds, savings bonds, or annuities, on the back of this sheet or on an additional sheet if necessary.

\* \* \* \* \*

Names and Ages of All Your Children (and addresses if not living with you):

Child Support or Alimony Paid: \$ \_\_\_\_ per

Names of Others You Live With:

Who is Head of Your Household? \_\_\_\_\_ You \_\_\_\_ Spouse \_\_\_\_ Other Person Checking  
Account at: \_\_\_\_\_ Account #

Savings Account at: \_\_\_\_\_ Account #

For Real Estate (land) You Own or Are Buying:

Address:

All Names on Title:

Mortgage Owed to:

Balance Owed:

Monthly Payment: \$

(Attach a copy of the deed or mortgage, or list the legal description of the property on the back of this sheet or an additional sheet if necessary. Also provide the same information on any other property you own or are buying.)

For All Motor Vehicles You Own or Are Buying:

Year/Make/Model: \_\_\_\_\_ Color:

Vehicle ID No.: \_\_\_\_\_ Tag No: \_\_\_\_\_ Mileage:

Names on Title: \_\_\_\_\_ Present Value: \$

Loan Owed to:

Balance on Loan: \$

Monthly Payment: \$

(List all other automobiles, as well as other vehicles, such as boats, motorcycles, bicycles, or aircraft, on the back of this sheet or an additional sheet if necessary.)

Have you given, sold, loaned, or transferred any real or personal property worth more than \$100 to any person in the last year? If your answer is "yes," describe the property, market value, and sale price, and give the name and address of the person who received the property.



Does anyone owe you money? Amount Owed: \$

Name and Address of Person Owing Money:

Reason money is owed:

Please attach copies of the following:

- a. Your last pay stub.
- b. Your last 3 statements for each bank, savings, credit union, or other financial account.
- c. Your motor vehicle registrations and titles.
- d. Any deeds or titles to any real or personal property you own or are buying, or leases to property you are renting.
- e. Your financial statements, loan applications, or lists of assets and liabilities submitted to any person or entity within the last 3 years.
- f. Your last 2 income tax returns filed.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

Judgment Debtor

STATE OF \_\_\_\_\_

COUNTY OF .....

Sworn to (or affirmed) and subscribed before me this \_\_\_ day of \_\_\_ (year), by (name of person

making statement)

Notary Public State of \_\_\_\_\_

My Commission expires:

.....

Personally known \_\_\_ OR Produced Identification

Type of identification produced

**YOU MUST MAIL OR DELIVER THIS COMPLETED FORM, WITH ALL ATTACHMENTS, TO THE JUDGMENT CREDITOR OR THE JUDGMENT CREDITOR'S ATTORNEY, BUT DO NOT FILE THIS FORM WITH THE CLERK OF THE COURT.**

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BLEPHEX, LLC a Florida limited liability company,

Counter-Defendants and  
Third-Party Defendants

\_\_\_\_\_ /

**FACT INFORMATION SHEET - CHOATE, INC.**

Name of entity:

Name and title of person filling out this form:

Telephone number:

Place of business:

Mailing address (if different):

Gross/taxable income reported for federal income tax purposes last three years:

\$ \_\_\_ /\$ \_\_\_ \$ \_\_\_ /\$ \_\_\_ \$ \_\_\_ /\$ \_\_\_

Taxpayer identification number:

Is this entity an S corporation for federal income tax purposes? \_\_\_\_\_ Yes \_\_\_\_\_  
No

Average number of employees per month

Name of each shareholder, member, or partner owning 5% or more of the entity's common stock, preferred stock, or other equity interest:

Names of officers, directors, members, or partners:

Checking account at: \_\_\_\_\_ Account #

Savings account at: \_\_\_\_\_ Account #

Does the entity own any vehicles? \_\_\_ Yes \_\_\_ No

For each vehicle please state:

Year/Make/Model: \_\_\_\_\_ Color:

Vehicle ID No:

\_\_\_\_\_ Tag No:

Mileage:

Names on Title: \_\_\_\_\_ Present Value: \$

Loan Owed to:

Balance on Loan: \$

Monthly Payment: \$

Does the entity own any real property? \_\_\_ Yes \_\_\_ No

If yes, please state the address(es):

Please check if the entity owns the following:

Boat

Camper

Stocks/bonds

Other real property

Other personal property

Please attach copies of the following:

1. Copies of state and federal income tax returns for the past 3 years.
  
2. All bank, savings and loan, and other account books and statements for accounts in institutions in which the entity had any legal or equitable interest for the past 3 years.
  
3. All canceled checks for the 12 months immediately preceding the service date of this Fact Information Sheet for accounts in which the entity held any legal or equitable interest.
  
4. All deeds, leases, mortgages, or other written instruments evidencing any interest in or ownership of real property at any time within the 12 months immediately preceding the date this lawsuit was filed.
  
5. Bills of sale or other written evidence of the gift, sale, purchase, or other transfer of any personal or real property to or from the entity within the 12 months immediately preceding the date this lawsuit was filed.

6. Motor vehicle or vessel documents, including titles and registrations relating to any motor vehicles or vessels owned by the entity alone or with others.

7. Financial statements as to the entity's assets, liabilities, and owner's equity prepared within the 12 months immediately preceding the service date of this Fact Information Sheet.

8. Minutes of all meetings of the entity's members, partners, shareholders, or board of directors held within 2 years of the service date of this Fact Information Sheet.

9. Resolutions of the entity's members, partners, shareholders, or board of directors passed within 2 years of the service date of this Fact Information Sheet.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

Judgment Debtor's Designated  
Representative/Title

STATE OF \_\_\_\_\_

COUNTY OF .....

Sworn to (or affirmed) and subscribed before me this \_\_\_ day of \_\_\_\_\_ (year), by (name of person making statement).

Notary Public State of \_\_\_\_\_  
My Commission expires:  
.....

Personally known \_\_\_ OR Produced identification

Type of identification produced

**YOU MUST MAIL OR DELIVER THIS COMPLETED FORM, WITH ALL ATTACHMENTS, TO THE PLAINTIFF JUDGMENT CREDITOR OR THE**

**PLAINTIFF'S JUDGMENT CREDITOR'S ATTORNEY, BUT DO NOT FILE THIS FORM WITH THE CLERK OF THE COURT.**

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BLEPHEX, LLC a Florida limited liability company,

Counter-Defendants and  
Third-Party Defendants

---

**FACT INFORMATION SHEET - MYCO INDUSTRIES, INC.**

Name of entity:

Name and title of person filling out this form:

Telephone number:

Place of business:

Mailing address (if different):

Gross/taxable income reported for federal income tax purposes last three years:

\$ \_\_\_ /\$ \_\_\_ \$ \_\_\_ /\$ \_\_\_ \$ \_\_\_ /\$ \_\_\_

Taxpayer identification number:

Is this entity an S corporation for federal income tax purposes? \_\_\_\_\_ Yes \_\_\_\_\_  
No

Average number of employees per month

Name of each shareholder, member, or partner owning 5% or more of the entity's common stock, preferred stock, or other equity interest:

Names of officers, directors, members, or partners:

Checking account at: \_\_\_\_\_ Account #

Savings account at: \_\_\_\_\_ Account #

Does the entity own any vehicles? \_\_\_ Yes \_\_\_ No



For each vehicle please state:

Year/Make/Model: \_\_\_\_\_ Color:

Vehicle ID No:

\_\_\_\_\_  
Tag No:

Mileage:

Names on Title: \_\_\_\_\_ Present Value: \$

Loan Owed to:

Balance on Loan: \$

Monthly Payment: \$

Does the entity own any real property? \_\_\_ Yes \_\_\_ No

If yes, please state the address(es):

Please check if the entity owns the following:

\_\_\_ Boat

\_\_\_ Camper

\_\_\_ Stocks/bonds

\_\_\_ Other real property

\_\_\_ Other personal property

Please attach copies of the following:

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4. All deeds, leases, mortgages, or other written instruments evidencing any interest in or ownership of real property at any time within the 12 months immediately preceding the date this lawsuit was filed.
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STATE OF \_\_\_\_\_

COUNTY OF .....

Sworn to (or affirmed) and subscribed before me this \_\_\_ day of \_\_\_\_\_ (year), by (name of person making statement).

Notary Public State of \_\_\_\_\_  
My Commission expires:  
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Personally known \_\_\_ OR Produced identification

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