

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM339201

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	COURT ORDER		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Jungle Growth, Inc.		01/27/2015	CORPORATION:
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	American Bank and Trust Company, N.A.		
<b>Street Address:</b>	4301 E. 53rd St		
<b>City:</b>	Davenport		
<b>State/Country:</b>	IOWA		
<b>Postal Code:</b>	52807		
<b>Entity Type:</b>	national association: UNITED STATES		
<b>PROPERTY NUMBERS Total: 5</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	2943741	JUNGLE GROWTH	
<b>Registration Number:</b>	3690794	WATER WISE	
<b>Registration Number:</b>	3823325	PURE ORGANIC	
<b>Registration Number:</b>	3901092	SECRET GARDEN	
<b>Registration Number:</b>	1601240	SECRET GARDEN	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	5152741488		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	515-271-1748		
<b>Email:</b>	carole.mcfadden@brickgentrylaw.com		
<b>Correspondent Name:</b>	Brian J. Laurenzo		
<b>Address Line 1:</b>	6701 Westown Parkway		
<b>Address Line 2:</b>	Suite 100		
<b>Address Line 4:</b>	West Des Moines, IOWA 50266		
<b>ATTORNEY DOCKET NUMBER:</b>	19334.002		
<b>NAME OF SUBMITTER:</b>	Brian J. Laurenzo		
<b>SIGNATURE:</b>	/bjl/		
<b>DATE SIGNED:</b>	04/23/2015		

OP \$140.00 2943741

**Total Attachments: 5**

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IN THE STATE COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

FILED IN OFFICE  
CLERK STATE COURT  
GWINNETT COUNTY, GA  
15 JAN 27 AM 11:07

AMERICAN BANK AND TRUST  
COMPANY, N.A.,

Plaintiff,

vs.

JUNGLE GROWTH, INC.,

Defendant.

) CIVIL ACTION  
) FILE NO. 14-C-05535-3  
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RICHARD ALEXANDER, CLERK

CONSENT JUDGMENT

The within and foregoing Personal Property Foreclosure Action was filed by American Bank and Trust Company, N.A. against Jungle Growth, Inc. Jungle Growth, Inc. filed a timely answer. The parties as evidenced by their signatures below have consented to the entry of this judgment thereby resolving all issues by and between the parties. The Court finding the same proper, hereby makes the agreement of the parties the judgment of the Court. Accordingly it is hereby

ORDERED that a Writ of Possession issue in favor of American Bank and Trust Company, N.A. and against Jungle Growth, Inc in and to the following Property to wit: All Inventory, Chattel Paper Accounts, Equipment and General Intangibles including without limitation, all right, title and interest in to the trade name and/or trademark "Jungle Growth". The Property also includes all the following, whether now owned or hereafter acquired, whether now existing or hereafter arising, and wherever located:

- (A) All accessions, attachments, accessories, tools, parts, supplies, replacements of and additions to any of the collateral described herein, whether added now or later.

- (B) All proceeds and proceeds of any of the property described in this Collateral section.
- (C) All accounts, general intangibles, Instruments, rent monies, payments, and all other rights, arising out of a sale, lease, consignment or other disposition of any of the property described in this Collateral section.
- (D) All proceeds (including Insurance proceeds) from the sale, destruction, loss or other disposition of any of the property described in this Collateral section, and sums due from a third party who has damaged or destroyed the Collateral or from the party's insurer, whether due to judgment, settlement or other process, including but not limited to any recovery in IN re Country Stone Holdings, Inc., USBC CD Illinois Chapter 11 Case number 14-81854.
- (E) All records and data relating to any of the property described in this Collateral section, whether in the form of a writing, photograph, microfilm, microfiche, or electronic media, together with all of Grantor's right, title and interest in and to all computer software required to utilize, create, maintain, and process any such records or data on electronic media (the "Collateral").

The Collateral includes but is not limited to the property on the attached Exhibit "A" as well as all improvements, replacement accessories and attachment to the same.

FURTHER ORDERED, that a writ of possession pursuant to O.C.G.A. § 44-13-230 et seq, shall issue in favor of American Bank and Trust Company, N.A. by way of a separate Order.

On December 2, 2014 American Bank and Trust Company, N.A. sold under power certain real estate known as 1771 Broad Street, Statham, GA 30666 and more fully described as follows:

*All that tract or parcel of land situate, lying and being in the 1742<sup>nd</sup> District,*

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*[Handwritten initials]*

*G.M., and in the City of Statham, Barrow County, Georgia, containing 5.442 acres, and being more particularly described and delineated according to a plat of survey prepared by Borders and Associates, certified by Paul E. Borders, Georgia Registered Surveyor No. 1995, dated June 1, 1993, entitled "Survey for Piedmont Pacific, Inc. ", said plat being of record in the Office of the Clerk of the Superior Court of Barrow County, Georgia in Plat Book 41, page 78, which said plat and the recording thereof are by reference hereto incorporated herein for a more complete and detail description.*

As a material inducement for American Bank and Trust Company, N.A. to enter into this consent judgment Jungle Growth, Inc. hereby stipulates and it is hereby

ORDERED that the foreclosure sale is valid and proper in all respects and that the bid price of \$1,380,000.00 represents the fair reasonable value of the improved real property.

Further it is hereby

ORDERED that Jungle Growth Inc., hereby irrevocably waives all rights, remedies and claims and is forever barred from seeking to set aside the foreclosure sale or otherwise claiming that the foreclosure sale was improper or wrongful in any way.

FURTHER ORDERED, that judgment be and hereby is entered in favor of American Bank and Trust Company, N.A. and against Jungle Growth Inc. in the principal amount of \$1,620,000.00 plus \$38,125.00 interest plus \$22,092.00 late charges plus \$7,500.00 attorney fees(the principal being \$3,000,000.00 less the \$1,380,000.00 real property foreclosure sale bid price).

FURTHER ORDERED, that American Bank and Trust Company, N.A. shall accept the

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proceeds of the sale under power together with the Property in full satisfaction of the Judgment entered herein as well as the obligations of Jungle Growth, Inc. to American Bank and Trust, N.A. under that certain Promissory Note dated October 8<sup>th</sup>, 2013 and that certain Business Loan Agreement dated October 8<sup>th</sup>, 2013 (the Promissory Note and Business Loan Agreement are attached as Exhibits in this case to the Personal property foreclosure action), being American Bank and Trust Loan # 40039-1 and there shall be no deficiency or further obligation of Jungle Growth, Inc. to American Bank and Trust Company, N.A.

FURTHER ORDERED, that Jungle Growth Inc. hereby waives all further right to notice of default, notice of sale, notice disposition, right to redeem and right to any surplus. American Bank and Trust N.A. is hereby remised, released and discharged from any all Claims relating to the Foreclosure of the real Property, the commercial reasonableness disposition of the Property/Collateral or any right to Claim any surplus proceeds of sale of any of the Property/ Collateral.

So ORDERED,

This 26 day of Jan, 2015.

  
\_\_\_\_\_  
JUDGE  
STATE COURT OF GWINNETT COUNTY

Consented to by:

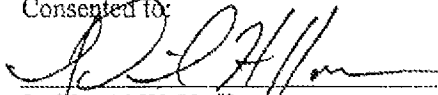
Barrett Daffin Fabrice Levine & Block, LLP

BY:  \_\_\_\_\_

Stephen H. Block, Esq.  
Ga Bar No.: 063750  
Attorney For American Bank and Trust, N.A.  
780 Johnson Ferry Road, Suite 240  
Atlanta, Georgia 30342  
(404)231-4567  
(404)231-4618



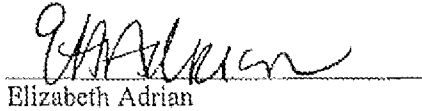
Consented to:



Jon David W. Huffman  
Attorney for Jungle Growth  
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(404)373-4008  
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Gary Adrian



Elizabeth Adrian

