IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

THE CIT GROUP/EQUIPMENT FINANCING, INC.,)
Plaintiff,) CV-98-J-2048-S
VS.))
OAK MOUNTAIN ENERGY, L.L.C. 1051 OAK MOUNTAIN DRIVE PELHAM, ALABAMA 35124)) 9906/4360)
Defendant.)

CERTIFICATE OF JUDGMENT

I, PERRY D. MATHIS, Clerk of the United States District Court for the Northern District of Alabama, do hereby certify that on the 22nd day of March, 1999, an Order was rendered by said Court in the above-styled cause, wherein it was ORDERED by the Court as set out in the Order hereto attached; and that Scott W. Ford, Esq., is the Attorney of Record for The CIT Group/Equipment, Inc., in said cause.

WITNESS, My Hand and the Seal of said Court, this the Rth day of April,

PERRY D MATHIS, CLERK

Deputy Clerk

Inst # 1999-20660

O5/17/1999-20660
10:36 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 N/S 13.50

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

MAR 2 2 1999

·		1-14-11 1 ···	
THE CIT GROUP/EQUIPMENT FINANCING, INC.,))	U.S. DISTRICT COURT NORTHERN DISTRICT OF ALABAMA	
Plaintiff,) CASE NO. CV 98-J	-2048-S	
V.) .	. *	
OAK MOUNTAIN ENERGY, L.L.C.)	FNITERED	
Defendant.)	MAR 2 2 1999	
	ORDER		

<u>ORDER</u>

This matter came to be heard on the Motion for Summary Judgment by The CIT Group/Equipment Financing, Inc. ("CIT"), against the defendant, Oak Mountain Energy, L.L.C. ("Oak Mountain").

The Court hereby finds that there is no genuine issue as to any material fact and that CIT is entitled to a judgment as a matter of law. Accordingly, the Court hereby ORDERS, ADJUDGES AND DECREES as follows:

- The Motion for Summary Judgment by The CIT Group/Equipment Financing, Inc. 1. is granted.
- CIT is awarded a judgment against Oak Mountain in the amount of \$5,800,611.42 2. plus interest.
- CIT is entitled to recover its reasonable attorneys' fees from Oak Mountain. The 3. Court reserves jurisdiction for the limited purpose of allowing CIT to request, on a duly filed and served motion, a request for an additional amount to be added to its judgment for attorneys' fees incurred now and in the future.



4. CIT is awarded possession.

5. CIT shall dispose of the Equipment and the net proceeds of any disposition of the Equipment shall be applied to reduce the balance owed on this judgment.

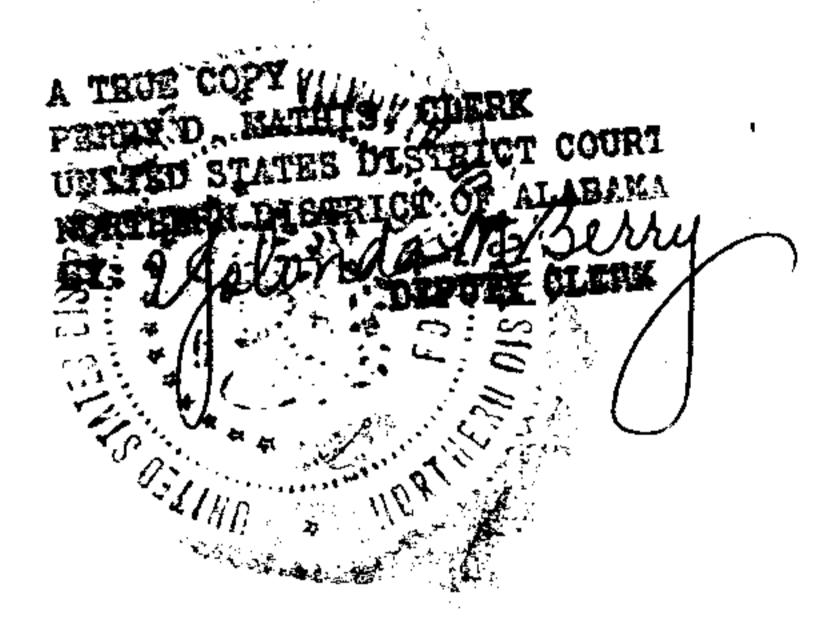
6. From and after the date of judgment, the unpaid balance owed by Oak Mountain on this judgment shall bear interest at the contractual rate of 18% per annum.

Dated this the 22 day of more, 1999.

Inge P. Johnson

United States District Judge

171461-1



State of Alabama - Jefferson County
I certify this instrument filed on:
1999 APR 29 P.M. 14:26

Recorded and \$

Mtg. Tax

and \$ 9.50 Total \$

GEORGE R. REYNOLDS, Judge of Probate

9906/4360

10:36 AM CERTIFIED
SHELBY COUNTY JUNGE IS SHOWNTE