

11/19/2001

ALABAMA JUDICIAL BRTH CENTER  
JEFFERSON COUNTY  
CERTIFICATE OF JUDGEMENT

CV 2001 002012.00  
ARTHUR J. HANES JR.

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

AMSCUTH BANK VS BIRMINGHAM INDUSTRIAL PAINTING CO INC ET AL

DEFENDANT

SEAKIANOS, CONSTANTINE N  
1045 LINKSIDE DR

BHAM ,AL 35242-0000

PARTY'S ATTORNEY:

PAWAL JOSEPH A  
SUITE 200  
1330 21ST WAY SOUTH  
BIRMINGHAM ,AL 35205

I, ANNE-MARIE ADAMS, CLERK OF THE ABOVE NAMED COURT HEREBY  
CERTIFY THAT ON 10/30/2001 PLAINTIFF, AMSCUTH BANK, RECOVERED  
OF DEFENDANT IN SAID COURT A JUDGEMENT WITHOUT WAIVER OF EXEMPTIONS FOR THE  
SUM OF \$935,771.55 DOLLARS PLUS \$178.00 DOLLARS COURT COSTS, AND  
THAT THE PLAINTIFF'S ATTORNEY(S) OF RECORD WAS: LAMAR JAYNA P

10/30/2001 JUDGMENT IS RENDERED IN FAVOR OF THE PLAINTIFF AND AGAINST  
THE DEFENDANT. ORDER PER SEPARATE PAPER, SEE ATTACHED.

JUDGE HANES

GIVEN UNDER MY HAND THIS DATE 11/19/2001

*Anne-Marie Adams*

CLERK: ANNE-MARIE ADAMS  
RM 400 JEFF CO COURTHOUSE  
BIRMINGHAM AL 35203  
(205) 325-5355

OPERATOR: EDH  
PREPARED: 11/19/2001

PLAINTIFF'S ATTORNEY:

**RECORDER'S MEMORANDUM**  
At the time of recordation, this  
instrument was found to be  
inadequate for the best photo-  
graphic reproduction.

Inst # 2001-51906

LAMAR JAYNA P  
2400 AMSCUTH HARDERT PL  
BIRMINGHAM AL 35203

11/30/2001-51906  
10:33 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MEL 17.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

AMSOUTH BANK,

Plaintiff,

v.

BIRMINGHAM INDUSTRIAL PAINTING  
COMPANY, INC.; CONSTANTINE  
N. SFAKIANOS; PAUL T. LANE; and  
MARK RANDOL;

Defendants.

CASE NO. CV-01-2012

FILED IN OFFICE

OCT 30 2001

ANNE-MARIE ADAMS  
Clerk

**ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

After hearing and due consideration of the issues presented by the plaintiff, AmSouth Bank ("AmSouth"), in its Motion for Summary Judgment against defendants Constantine N. Sfakianos ("Sfakianos") and Mark Randol ("Randol"), the Court finds that, pursuant to Ala. R. Civ. P. 56, summary judgment is due to be **GRANTED** as a matter of law as to each count of the Complaint against defendants Sfakianos and Randol. The Court further finds that AmSouth's complaint against defendants Birmingham Industrial Painting Company, Inc. ("BIPCO") and Paul T. Lane ("Lane") is due to be dismissed without prejudice.

In making this determination, the Court has relied on the following: (i) the pleadings in this action, including AmSouth's Verified Complaint; (ii) the Plaintiff's Motion for Summary Judgment; (iii) the Plaintiff's Memorandum in Support of its Motion for Summary Judgment; and (iv) the Affidavit of Lewis Compton, Jr. Accordingly, it is hereby

**ORDERED, ADJUDGED and DECREED** that judgment shall be entered against Sfakianos and Randol in the above-referenced matter in the amount of \$916,563.53, plus accrued

and accruing interest, plus \$19,208.03 in attorneys' fees. It is further ordered that AmSouth's complaint against defendants BIPCO and Lane is dismissed without prejudice.

Dated this the 25 day of October, 2001.

  
JEFFERSON COUNTY CIRCUIT COURT JUDGE

cc: Matthew W. Grill, Esq.  
Joseph A. Fawal, Esq.  
Richard F. Ogle, Esq.  
M. Scott Harwell, Esq.

Inst # 2001-51906