



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
 TENTH JUDICIAL CIRCUIT, IN EQUITY**

JOHN FAY JR.,)	
Plaintiff,)	
)	
VS.)	CASE NO: DR 05-2809.01 SSC
)	
BENITA FAY,)	
Defendant.)	

ORDER

THIS CAUSE came before the Court on April 18, 2011 on the Plaintiff's Motion to Alter, Amend or Vacate Order, or in the Alternative, For New Trial. The parties appeared with their respective counsel of record. Upon consideration of the Plaintiff's Motion, and after a thorough review of this Court's trial notes and the Court's Order in this cause, the Court states as follows:

The Court made a great effort in this cause, to craft an equitable Order based upon the grave injustice which has been systematically perpetrated against the Defendant.

It appears from the testimony, that the Plaintiff continues to live a lavish lifestyle of mansions and yachts. The Court is disgusted that, pursuant to the current law on some issues, there is nothing that can be done by this Court due to the possibility of reversal on appeal.

Accordingly, it is Ordered, Adjudged and Decreed as follows:

1. That Paragraph 4., of this Court's Order entered February 25, 2011 is deleted in its entirety.



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2. That Paragraph 12., of the Final Judgment of Divorce shall remain in full force and effect.

3. That the Plaintiff is ordered to do nothing to prevent the sale of the real property or diminish the value of said property.

4. All arrearage owed by the Plaintiff to the Defendant shall be paid within sixty days of the entry of this Order.

5. The Plaintiff remains in criminal and civil contempt of this Court's Orders and is sentenced to 150 days in the Jefferson County Jail. Said sentence is suspended pending further order of this Court.

6. All other provisions of this Court's previous Order in this cause, not otherwise modified herein shall remain in full force and effect.

7. This cause is set for hearing on July 20, 2011 at 9:00 a.m., to determine whether or not the Plaintiff is complying with the Court's Orders.


* * * * *

DONE AND ORDERED this the 5 day of May, 2011.


SUZANNE S. CHILDERS
CIRCUIT JUDGE

Copies of this Order e-filed or mailed:

Gerard J. Durward Esq
Laura Hardin Burns Esq
Pursuant to Rule 77 (d) ARCP
Dated: _____
By: _____


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I, Anne-Marie Adams, Clerk of the Court, of Jefferson County, do hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith and a true copy of record in said Court.

WITNESS my hand and the seal of the Court, this

the _____ day of JUN 11 2012

Anne-Marie Adams
 Clerk