

FILED

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

87 JAN 28 P4:06

U. S. DISTRICT COURT
N. D. OF ALABAMA
C. T. CLIVER, CLERK

* Case No: CV85-H-1945-S

ENTERED

JAN 28 1937

Defendants.

DEFAULT JUDGMENT ENTERED BY COURT

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This action came on the Motion of the plaintiff for default judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, and the defendant, Smith & Sons Construction Company, and defendant Trico Fuels, Inc., having been duly served with Summons and Complaint and not being an infant or unrepresented incompetent person, having failed to plead or otherwise defend, and their default having been duly entered and the defendant having taken no proceedings since such default was entered.

It is ORDERED, ADJUDGED and DECREED that default judgment is hereby entered against defendants Trico Fuels, Inc. and Smith & Sons Construction Company and in favor of plaintiff Continental Insurance Company in the amount of SEVEN HUNDRED TWENTY-FIVE THOUSAND (\$725,000.00) DOLLARS plus attorney's fees and costs.

DONE this, the 28th day of JANUARY, 1987.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
5 AM 8:40

1987 AUG -5 AM 8:40

JUDGE OF PROBATE

James H. Hancock
United States District Court Judge