

CERTIFICATE OF JUDGMENT

Case Number
CV 86 3684
Yr Number

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

Plaintiff: Vulcan Painters, Inc.

Judgment Date 5/27/88

Judgment \$ 10,499.09

Costs 103.00

Other

TOTAL \$10,602.09

VS

Defendant: Nelson H. Head-1926 4th Ave. N, Bham, Al; Beverly P. Head, Jr.-1926 4th Ave. N, Bham, Al; James R. Foreman-3000 SouthTrust Tower, Bham, Al; Costa & Head (Atrium), Ltd; Costa & Head (Birmingham One), Ltd.; Costa & Head Land Company; Pedro C. Costa; Thomas L. Howard, Jr.

Plaintiff's Atty. Gregory M. Deitsch

Defendant's Atty. William H. Mills

JUDGMENT RENDERED IN FAVOR OF

PLAINTIFF

DEFENDANT

JUDGMENT:

☐ Default

☐ Dismissal

☐ Detinue

☒ Other

☐ Consent

☐ Workman's Comp.

☐ Unlawful Detainer

Partial Summary Judgment

☐ Non Suit

☐ Pro Ami

JUDGMENT CONDITIONS:

☐ With Exemptions

☐ With Prejudice

☐ Without Exemptions

☐ Without Prejudice

5/27/88 Partial summary judgment granted in favor of plaintiff and against defendants, Nelson H. Head, Beverly P. Head, Jr. and James R. Forman, order per separate paper. Judge Jackson

SEE ATTACHED ORDER.

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Certified as a True Copy

CLERK

CLERK

IN THE CIRCUIT COURT FOR
JEFFERSON COUNTY, ALABAMA

VULCAN PAINTERS, INC.,

Plaintiff,

vs.

COSTA AND HEAD (ATRIUM), LTD.,
a Limited Partnership, et al.,

Defendants.

CASE NO. CV 86-3684

Filed In Open Court

This 27 day of May 1988

POLLY CONRADI
CLERK CIRCUIT COURT

By *Phil R. [Signature]*
DEPUTY CLERK

ORDER

THIS CAUSE coming on to be heard on April 21, 1988 on Plaintiff's Motion for Summary Judgment, which is considered by the Court to be a Motion for Partial Summary Judgment, as to Defendant, Nelson H. Head, Beverly P. Head, Jr. and James R. Foreman, and the Court, hearing the arguments of counsel for the Plaintiff and Defendants, finds that there is no genuine issue as to any material fact and that the following question of law is dispositive of all issues between the parties: Whether or not the Plaintiff is entitled to proceed to judgment and execution against the individual general partners, for the partnership debt before the partnership assets have been exhausted; the Court is of the opinion that the Plaintiff is entitled to partial summary judgment, and it is therefore ORDERED, ADJUDGED and DECREED by the Court as follows:

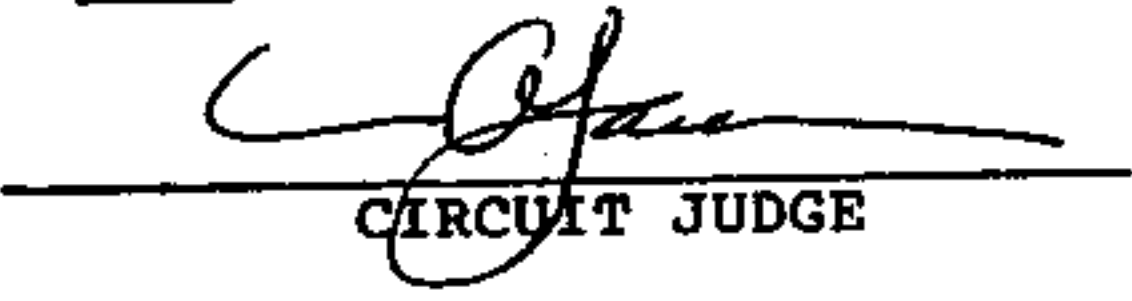
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That a money judgment is hereby ordered in favor of the Plaintiff and against the Defendants, Nelson H. Head, Beverly P. Head, Jr. and James R. Foreman, in the principal sum of \$9,633.25, plus interest at the legal rate of 6% from November 25, 1986 in the amount of \$865.84, for a total of \$10,499.09. There being no just reason for delay, the Court further directs entry of a final judgment pursuant to 54(b) of the Alabama Rules of Civil Procedure.

Costs are hereby taxed against the Defendants, Nelson H. Head, Beverly P. Head, Jr. and James R. Foreman, for which let execution issue.

DONE and ORDERED this 27 day of May, 1988.


CIRCUIT JUDGE

007/019

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
88 OCT -4 AM 10:43


JUDGE OF PROBATE

RECORDING FEES	
Recording Fee	\$ <u>750</u>
Index Fee	<u>700</u>
TOTAL	<u>1450.</u>