

1284  
**In the United States District Court**  
**For the Northern District of Alabama**  
SOUTHERN DIVISION 1284

FRANK FOUNTAIN

VS.

CV87-P-0661-S

MILO SULLIVAN & ASSOCIATES, INC.; CHARCO  
ENTERPRISES, INC.; JAMES R. PHILLIPS,  
d/b/a PHILLIPS EQUIPMENT & SALVAGE

CERTIFICATE OF JUDGMENT

I, CHARLES T. CLIVER, Clerk of the United States District Court for the Northern District of Alabama, do hereby certify that on the 18th day of October, 1988, a judgment was rendered by said Court in the above-stated cause wherein \_\_\_\_\_

CHARCO ENTERPRISES, INC.

obtained a judgment against FRANK FOUNTAIN

whose address(es) is (are) c/o Mr. James S. Ward  
Corley, Moncus, Bynum & DeBuys  
2100 - 16th Ave. So., Birmingham, AL 35205

as shown in the Court proceeding, for the sum of SEE ATTACHED COPY OF JUDGMENT Dollars.

and also the sum of \_\_\_\_\_ (costs not taxed)

\_\_\_\_\_ Dollars, cost of said suit, and interest at the rate of 8.04% from date of said Judgment, and that Ernest M. Artiz

is the Attorney of Record for Charco Enterprises, Inc.

in said cause.

WITNESS My Hand and the Seal of this Court  
this 9th day of November, 1988

CHARLES T. CLIVER, CLERK

CHARLES T. CLIVER, Clerk

By: S. J. Richerson

Deputy Clerk

✓  
**ERNEST M. ARTIZ, P.C.**  
ATTORNEY AT LAW  
1555 MOLLIE ESPERSON BUILDING  
615 WALKER STREET  
HOUSTON, TEXAS 77002

FILED

AGRDJUD (EMA3)

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

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

FRANK FOUNTAIN

VS.

CASE NO. CV-87-P-0661

MILO SULLIVAN & ASSOCIATES,  
INC.; CHARCO ENTERPRISES,  
INC.; JAMES R. PHILLIPS  
d/b/a PHILLIPS EQUIPMENT &  
SALVAGE

*mal*  
**ENTERED**

OCT 1 8 1988

AGREED FINAL JUDGMENT

BOOK 214 PAGE 504  
On this the 11<sup>th</sup> day of October, 1988, came before the Court FRANK FOUNTAIN, Plaintiff in the above-entitled and numbered cause, and MILO SULLIVAN & ASSOCIATES, INC., CHARCO ENTERPRISES, INC. and JAMES R. PHILLIPS d/b/a PHILLIPS EQUIPMENT & SALVAGE, Defendants in the above-entitled and numbered cause, and announced, as their signatures hereto reflect, to the Court that all matters of fact and things in controversy had been fully and finally settled between the parties pursuant to the terms of this Agreed Final Judgment, and that based thereon, by their signatures hereto, approved the entry of this Agreed Final Judgment, and the Court, having reviewed the file herein and based upon such representations and the signatures of the parties hereto, makes the following orders:

IT IS HEREBY ORDERED, ADJUDGED and DECREED by the Court that FRANK FOUNTAIN, Plaintiff, take nothing by his suit herein.



IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that CHARCO ENTERPRISES, INC. Defendant and Counter-Plaintiff, do have and recover of and from FRANK FOUNTAIN, Plaintiff and Counter-Defendant, the sum of TWENTY-THREE THOUSAND NINE HUNDRED SIXTY-FOUR AND 50/100 DOLLARS (\$23,964.50) plus the sum of FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) as and for reasonable attorneys' fees, together with interest thereon at the rate of ten percent (10%) per annum from the date of the signing of this Agreed Final Judgment until fully paid.

BOOK 214 PAGE 505  
IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court that JAMES R. PHILLIPS d/b/a PHILLIPS EQUIPMENT & SALVAGE, Defendant and Counter-Plaintiff, do have and recover of and from FRANK FOUNTAIN, Plaintiff and Counter-Defendant, the sum of EIGHT THOUSAND AND NO/100 DOLLARS (\$8,000.00) plus the sum of FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) as and for reasonable attorneys' fees, together with interest thereon at the rate of ten percent (10%) per annum from the date of the signing of this Agreed Final Judgment until fully paid.

All costs of court are taxed against FRANK FOUNTAIN, Plaintiff and Counter-Defendant.

The parties are allowed such writs and processes as may be necessary in the collection or enforcement of this judgment.

All relief not expressly granted herein is hereby denied.

SIGNED on this the 11<sup>th</sup> day of October, 1988.

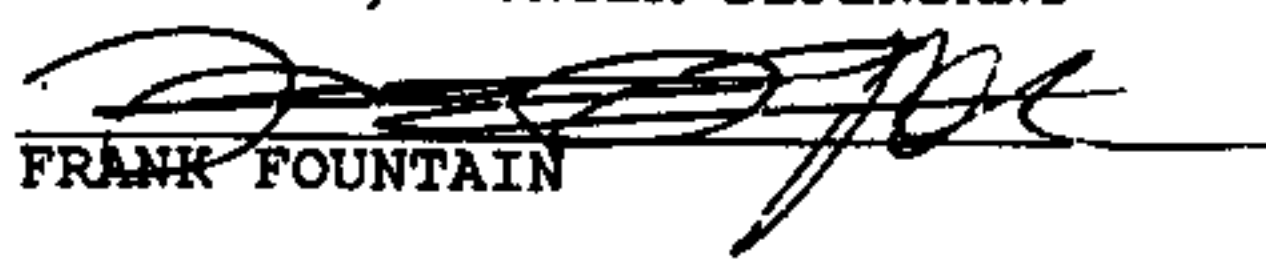
  
PRESIDING JUDGE

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A TRUE COPY  
CHARLES T. CLIVER, CLERK  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
BY: 

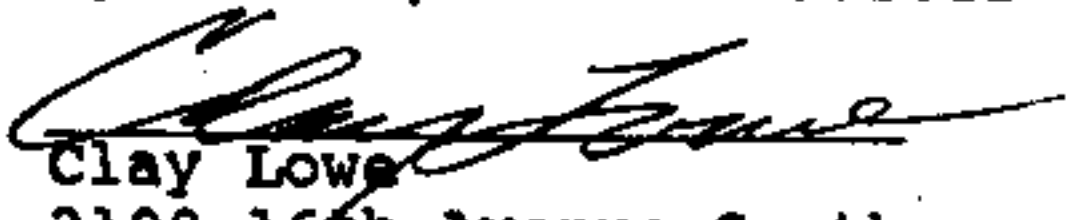
APPROVED AS TO FORM  
AND SUBSTANCE:

PLAINTIFF/COUNTER-DEFENDANT

  
FRANK FOUNTAIN

CORLEY, MONCUS, BYNUM & DEBUYS

By:

  
Clay Lowe  
2100 16th Avenue South  
Birmingham, Alabama 35205  
(205) 939-0811

ATTORNEYS FOR PLAINTIFF/COUNTER-DEFENDANT

DEFENDANT/COUNTER-PLAINTIFF

CHARCO ENTERPRISES, INC.

By:

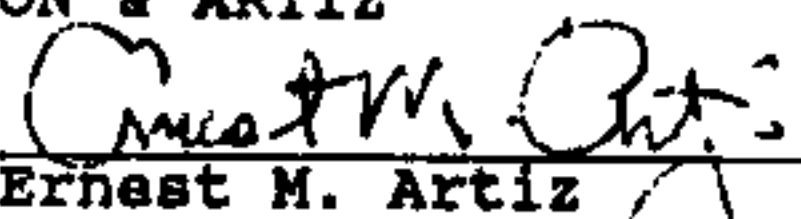
GIL JONES, PRESIDENT

DEFENDANT/COUNTER-PLAINTIFF

JAMES R. PHILLIPS,  
Individually and d/b/a  
PHILLIPS EQUIPMENT & SALVAGE

JOHNSON & ARTIZ

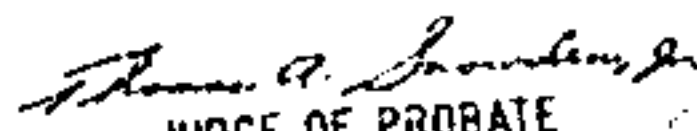
By:

  
Ernest M. Artiz  
920 Niels Esperson Bldg.  
808 Travis  
Houston, Texas 77002  
(713) 224-7083

ATTORNEYS FOR DEFENDANTS/COUNTER-PLAINTIFFS

STATE OF ALA. SHERIFF  
I CERTIFY THIS  
INSTRUMENT WAS FILED

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JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 10.00

Index Fee 1.00

TOTAL 11.00