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3610 MAR 122 (Jefferson County)

In the United States District Court
For the Northern District of Alabama

SOUTHERN DIVISION

BOOK 240 PAGE 879

THE COMMODORE CORPORATION, a
CORPORATION

v.

CV-88-L-2042-S

DAVID W. SMITH, an individual, and
KIM V. SMITH, an individual

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 11th day of April, 1989, a judgment was rendered by said Court in the above-stated cause wherein plaintiff, The Commodore Corporation obtained a judgment against defendants, David W. Smith and Kim V. Smith whose address(es) is (are) 316 Cumberland Trace
Birmingham, AL 35243
as shown in the Court proceeding, for the sum of Eighty-two thousand five hundred and seventy-eight and 00/100-----Dollars, and also the sum of costs not taxed Dollars, cost of said suit, and interest at the rate of 9.51 % from date of said Judgment, and that Lee R. Benton is the Attorney of Record for plaintiff, The Commodore Corporation in said cause.

WITNESS My Hand and the Seal of this Court
this 18th day of April, 1989.

Charles T. Cliver

CHARLES T. CLIVER, Clerk

By:

Tom Kipps
Deputy Clerk

SCHOEL, OGLE, BENTON, GENTLE AND CENTENO

A PARTNERSHIP
ATTORNEYS AT LAW
THIRD FLOOR WATTS BUILDING
2008 THIRD AVENUE NORTH
BIRMINGHAM, ALABAMA 35208

3610 MAR 123

FILED

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

89 APR 11 PM 3:27

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

THE COMMODORE CORPORATION,

Plaintiff,)

vs.)

CASE NO. CV 88 L 2042 S

DAVID W. SMITH, an individual,)
and KIM V. SMITH, an individ-)
ual, et al.,)

Defendants)

ENTERED

APR 11 1989

ORDER

This cause was submitted at the Court's regular Motion Docket in Birmingham on Plaintiff's motion for default judgment, filed in this action on March 27, 1989.

Service having been perfected on Defendants on December 7, 1988, and Defendants having failed to respond to discovery requests or to appear at Defendant David Smith's noticed deposition,

It is hereby ORDERED, ADJUDGED and DECREED that judgment be and the same hereby is entered against such Defendants.

Satisfactory proof of Plaintiff's claim having been indicated by the affidavit of Bobby G. Hatley, it is ORDERED, ADJUDGED and DECREED by the Court that Plaintiff have and recover of Defendants \$82,578.00, together with costs of Court, for which, unless presently paid, execution may issue.

DONE this 10 th day of April, 1989.

Jefferson H. Lynne
SENIOR JUDGE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

89 JUN -1 AM 11:18

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON

1989 MAY 23 PM 4:18

RECORDED & INDEXED
DEED TAX HAS BEEN PD. ON THIS INSTRUMENT

George A. Geller
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 5.00

Index Fee 2.00

TOTAL 7.00