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ALABAMA (No. CV	<u>89-175</u>
County }	CIRCUIT COURT,	TERM, 19 <u>89</u>
<u> </u>	Clerk of	the Circuit Court for said County
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SF SHELBY COUNTY, ALABAMA IN THE CIRCUIT COURT MARVIN'S, INC., Plainti Civil Action No. CV 89 175-NJ SIS OLE & J. HARRIS HOMES, INC., corporation; JACK HARRIS, an individual; et al.,

MOTION FOR SUMMARY JUDGMENT

Comes now the Plaintiff, Marvin's, Inc., by and through its undersigned counsel of record, and moves this Court for summary judgment on its claims against Defendants Jack A. Harris and J. Harris Homes, Inc. In support of this Motion, Plaintiff avers that there are no material facts at issue in this lawsuit and as a matter of law, Defendants Jack A. Harris and J. Harris Homes, Inc. liable to Plaintiff for the sum of \$17,781.80, interest thereon and costs of court. As grounds for this Motion, Plaintiff relies upon the following:

The pleadings; 1.

Defendants.

The admissions by said Defendants.

WHEREFORE, premises considered, Plaintiff prays that this Court shall enter summary judgment in its favor and against Defendants Jack A. Harris and J. Harris Homes, Inc. for the sum of \$17,781.80, interest thereon and costs.

9/15/89 The foregoing motion is granted by separate order.

Attorney for Marvin's, Inc.

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

MARVIN'S, INC.,

Plaintiff,

٧.

J. HARRIS HOMES, INC., a corporation; JACK HARRIS, an individual; et al.,

Defendants.

Civil Action No.

CV 89 175-NJ



SUMMARY JUDGMENT

Plaintiff having filed a Motion For Summary Judgment against Defendants Jack A. Harris and J. Harris Homes, Inc. in compliance with Rule 56 of the Alabama Rules Of Civil Procedure and therein having relied upon the admissions of said Defendants in response to requests for admissions pursuant to Rule 36(a) of the Alabama Rules Of Civil Procedure, and the Court having examined said admissions, it is

ORDERED, ADJUDGED AND DECREED that there is no genuine issue as to any material fact and that the Plaintiff is entitled to a judgment as a matter of law against Defendants J. Harris Homes, Inc. and Jack A. Harris for the sum of \$17,781.80, interest thereon as provided by statute and costs of court.

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It is the further order of this Court that a copy of this order be served upon said Defendants forthwith.

Done this // day of October, 1989.

Circuit Judge

D. al Crowson

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STATE OF ALA. SHELBY CH.
I CERTIFY THIS
ISTRUMENT WAS FILE.

89 DEC -4 PH 2: 46

JUDGE OF PROBATE

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