

CERTIFICATE OF JUDGMENT

Case Number
CV 90 4559
Yr Number

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

Third-party
Plaintiff: SOUTH ELYTON BAPTIST CHURCH

Judgment Date 5/21/93

Judgment \$ 15,000.00

Costs

Other

TOTAL \$ 15,000.00

Third-party vs
Defendant: GEORGE HUNTER, JR., indiv. and dba
GEORGE HUNTER, JR., ARCHITECT AND ASSOCIATES
4701 AVENUE V
BIRMINGHAM, AL 35214

Third-party
Plaintiff's Atty. H. L. Ferguson, Jr.

Third-party
Defendant's Atty. Douglas Corretti

Inst # 1993-37485
11/23/1993-37485
08:03 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NCD 13.50

JUDGMENT RENDERED IN FAVOR OF ☒ THIRD-PARTY PLAINTIFF ☐ THIRD-PARTY DEFENDANT

JUDGMENT: ☐ Default ☐ Consent ☐ Non Suit
☐ Dismissal ☐ Workman's Comp. ☐ Pro Ami
☐ Detinue ☐ Unlawful Detainer
☒ Other (See attached)

JUDGMENT CONDITIONS:
☐ With Exemptions ☐ Without Exemptions
☐ With Prejudice ☐ Without Prejudice

5/21/93 Order and final judgment rendered per attached paper.

Judge Thorn

Certified as a True Copy

November 16, 1993

CLERK

Dally Connolly
CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

FILED IN OFFICE

MAY 28 1993

SOUTH ELYTON BAPTIST CHURCH,
et al.,

Third-Party Plaintiffs,

vs.

GEORGE HUNTER, JR., et al.,

Third-Party Defendants.

POLLY CONRAD
Clerk

CIVIL ACTION NO: CV 90-4559

ORDER AND FINAL JUDGMENT AND FINDING OF CONTEMPT

The Court having set the plaintiff's Motion to Find George Hunter, Jr. in Contempt of Court and Motion for Sanctions for hearing and the Court having held said hearing on May 17, 1993 and the plaintiff appearing by counsel and the defendant, George Hunter, Jr., failing to appear and the Court having heard proof with regard to the plaintiff's claims for compensatory damages, additional attorney's fees and expenses: the Court finds, orders and decrees as follows:

1. The Court finds that George Hunter, Jr., hereinafter "the architect" has failed and/or refused to comply with the Court's order entered on April 8, 1993 with regard to the enforcement of the Arbitration Award. The Court further finds that the plaintiff has incurred damages, expenses and attorney's fees with regard to the plaintiff's attempts to enforce the Arbitration Award and with regard to the plaintiff's involvement in the Arbitration that was commenced by the architect. The Court finds the plaintiff's compensatory damages to be in the amount of \$15,000.00.

2. The Court finds that the sum of \$15,000.00 is a reasonable compensation to the plaintiff to offset damages caused by the architect because of the architect's past dereliction. The Court further finds sufficient basis for awarding sanctions for contempt in the amount of \$15,000.00 as compensation to the plaintiff for the actions or failures to act on the part of the architect.

3. The Court further finds that the architect had a present ability to satisfy the Court's order of April 8, 1993 and that the architect's failure to comply with the order is an action of civil contempt. Based on the foregoing the Court orders, adjudges and decrees that the plaintiff be, and is hereby, awarded \$15,000.00 as compensation for damages for civil contempt and the Court adopts and incorporates by reference its order of April 8, 1993. The Court finds that this "is a final order and judgment upon which execution can issue in favor of the plaintiff.

Done and ordered this 21 day of May, 1993.


JUDGE WAYNE THORN

cc: J. Mitchell Frost, Jr., Esq.
Douglas Corretti, Esq.
George Hunter, Jr.

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