

ALABAMA JUDICIAL DATA CENTER
CASE ACTION SUMMARY
CIRCUIT CIVIL

IN THE CIRCUIT COURT OF SHELBY COUNTY

BILLY JAMES PERRY VS. GREYSTONE REALTY INVESTORS, INC., ET AL
FILED: 08/16/95 TYPE: CONTRACT TYPE TRIAL: JURY TRACK:

DATE1: CA: CA DATE:
DATE2: AMT: \$25,845.00 PAYMENT:

PLAINTIFF 001: BILLY JAMES PERRY D/B/A
BILLY PERRY EXCAVATING ATTORNEY: JONES, G DOUGLAS
THE DOUGLASS BLDG
2017 MORRIS AVENUE
BIRMINGHAM, AL 35203
(205) 254-9000
PHONE: 000-0000
ENTERED: 08/16/95 ISSUED: TYPE:
SERVED: ANSWERED: JUDGEMENT:

DEFENDANT 001: GREYSTONE REALTY INVESTORS INC
ELLEN T. STANER, AGENT ATTORNEY: Meade Whitaker, Jr. 326-4166
3452 OAK CANYON DRIVE 2500 SouthTrust Tower
BIRMINGHAM, AL 35243-0000-000 420 N. 20th St.
PHONE: 000-0000 Bham, AL 35203
ENTERED: 08/16/95 ISSUED: 08/17/95 TYPE: CERTIFIED
SERVED: ANSWERED: JUDGEMENT: George M. Van Tassel, Jr.

DEFENDANT 002: CONSTRUCTION SYSTEMS INC
GERALD S. ODOM, V-PRES. ATTORNEY: ~~Dennis Jacobs 930-9800~~
101 40TH ST N ~~WHL~~
BIRMINGHAM, AL 35222-0000-000 10/17/95
PHONE: 000-0000
ENTERED: 08/16/95 ISSUED: 08/17/95 TYPE: CERTIFIED
SERVED: ANSWERED: JUDGEMENT:

8/16/95 Summons & Complaint filed.

8/17/95 Summons & Complaint issued for service by certified mail on:
Greystone Realty Investors, Inc., %Ellen T. Stanner, Agent, 3452 Oak Canyon Dr.,
Birmingham, AL- *EX 8-19-95*

Construction Systems, Inc., %Gerald S. Odom, Vice-President, 101 40th St., N.,
Birmingham, AL- *EX 8-21-95*

8/31/95 Answer filed by Construction Systems, Inc.

9/8/95 Answer filed by Greystone Realty Investors, Inc.

9/11/95 Scheduling Order Questionnaire mailed to attys by Judge Head.

10/16/95 Notice of Withdrawal filed by Dennis Jacobs.

10/17/95 The withdrawal of Honorable Dennis Jacobs, as attorney of record for the defendant
Construction Systems, Inc. is noted by the Court, and the Clerk of this Court is
DIRECTED to remove the name of Dennis Jacobs as attorney of record for said
defendant and to send a copy of this order to said defendant Construction Systems,
Inc. *[Signature]*

10/18/95 Notices mailed to Douglas Jones, Meade Whitaker, Jr., Dennis Jacobs
& Construction Systems, Inc.

Inst # 1997-02226

01/22/1997-02226
11:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

Inst # 1997-02226

JUDGE: OLIVER P. HEAD *Crowson*ALABAMA JUDICIAL DATA CENTER
CASE ACTION SUMMARY CONTINUATION
CIRCUIT CIVIL

IN THE CIRCUIT COURT OF SHELBY COUNTY

BILLY JAMES PERRY VS. GREYSTONE REALTY INVESTORS, INC., ET AL
FILED: 08/16/95 TYPE: CONTRACT TYPE TRIAL: JURY TRACK:*****
DATE1: CA: CA DATE:
DATE2: AMT: \$25,845.00 PAYMENT:
*****10/27/95 Trial Setting, Scheduling, And Preparation Order Filed. *Oliver P. Head*

(CASE IS SET FOR TRIAL ON MONDAY, MARCH 4, 1996)

(Pre-trial Conference is set for Monday, February 5, 1996 at 3:30 p.m.)

Notices mailed to Douglas Jones, Meade Whitaker, Dennis Jacobs, & Construction Systems, Inc.

10/30/95 Letter dated October 23, 1995, from attorney Meade Whitaker, Jr. to Hon. Oliver P. Head filed in open Court.

10/31/95 In response to letter of Honorable Meade Whitaker, Jr. dated 10/23/95, the attorneys for the parties in this case are not required to return their response to the Court's Scheduling Order Questionnaire, pending the further order of this Court. This case is set for status conference (which may be accomplished by a telephone call conference, to be initiated by Mr. Whitaker) on January 16, 1996, at 1:15 P.M.). *Oliver P. Head*

11/1/95 Notices mailed to G. Douglas Jones, Meade Whitaker, Jr. & Construction Systems Inc.

11/21/95 Motion to Consolidate and Motion to Hold in Abeyance filed by Greystone Realty Investors filed.

11/22/95 Motion to Consolidate and Motion to Hold in Abeyance is set for oral argument before Judge Crowson on December 13, 1995 at 9:00 a.m. s/ D. Al Crowson, Judge. Notices mailed to G. Douglas Jones, Meade Whitaker, Jr. & Construction Systems, Inc.

12/27/95 From 12/13/95 motion docket: On Motion to Consolidate and Motion to Hold in Abeyance filed by Defendant, Greystone Realty Investors, Inc. and Defendant, Merchants Bonding Company, it is ORDERED that case Numbers CV-95-404, CV-95-475, CV-95-536, CV-95-612 and CV-95-759 are hereby consolidated for trial and reassigned to the undersigned Judge. Further, the trial date in each of said cases is reset on April 1, 1996 at 9:00 A.M. Any pretrial scheduling order entered in these cases is amended to reflect said trial date and discovery cutoffs extended accordingly. *D. Al Crowson*

L0L/081795

ALABAMA JUDICIAL DATA CENTER
CASE ACTION SUMMARY CONTINUATION
CIRCUIT CIVIL

IN THE CIRCUIT COURT OF SHELBY COUNTY

BILLY JAMES PERRY VS. GREYSTONE REALTY INVESTORS, INC., ET AL
FILED: 08/16/95 TYPE: CONTRACT TYPE TRIAL: JURY TRACK:

 DATE1: 03/04/96 CA: CA DATE:
 DATE2: 12/13/95 AMT: \$25,845.00 PAYMENT:

1/16/96 Notices mailed to G. Douglas Jones, Meade Whitaker & Construction Systems, Inc.
 2/28/96 Trial Setting, Scheduling And Preparation Order Filed. s/ D. Al Crowson, Judge
 (CASE IS SET FOR TRIAL ON APRIL 1, 1996 AT 9:00 A.M.)
 2/29/96 Notices mailed to G. Douglas Jones, Meade Whitaker & Construction Systems, Inc.
 3/14/96 Notice of Appearance for Greystone Realty Investors filed by Geo. Van Tassel, Jr.
 3/20/96 By agreement of counsel, the trial in this cause is continued and is hereby
 re-set on July 1, 1996 at 9:00 A.M. *D. Al Crowson*
 3/21/96 Notices mailed to G. Douglas Jones, Meade Whitaker, Construction Systems.
 4/26/96 Motion of Greystone Realty Investors, Inc. for Summary Judgment Against
 Billy James Perry filed. (Pre-set for 6/5/96 at 9:00 a.m.)
 5/15/96 Motion of Greystone Realty Investors, Inc. and Merchants Bonding Company for
 Summary Judgment filed. (Pre-set for June 5, 1996 at 9:00 a.m.)
 5/31/96 At the request of Honorable George M. Van Tassel, Jr., this cause is set for
 pre-trial conference on June 25, 1996 at 10:00 A.M. *D. Al Crowson*
 Notices mailed to G. Douglas Jones, Meade Whitaker, George Van Tassel &
 Construction Systems.
 6/14/96 Denial Of Summary Judgment as shown by separate paper this day filed.
 s/ D. Al Crowson, Judge
 6/17/96 Copies mailed to G. Douglas Jones, Meade Whitaker, George Van Tassel &
 Construction Systems.
 6/5/96 Plaintiff's Response to Defendant Greystone Realty Investors, Inc.'s Motion for
 Summary Judgment filed in open court. s/ D. Al Crowson, Judge
 6/14/96 Greystone's Reply to Billy James Perry's Response in Opposition to Greystone's
 Motion for Summary Judgment and Greystone's Motion to Strike the Affidavit of
 Billy James Perry filed.
 6/21/96 Motion to Reconsider filed by Greystone Realty Investors, Inc.

ALABAMA JUDICIAL DATA CENTER
CASE ACTION SUMMARY CONTINUATION
CIRCUIT CIVIL

IN THE CIRCUIT COURT OF SHELBY COUNTY

BILLY JAMES PERRY VS. GREYSTONE REALTY INVESTORS, INC., ET AL
FILED: 08/16/95 TYPE: CONTRACT TYPE TRIAL: JURY TRACK:

DATE1: 03/04/96 CA: CA DATE:
DATE2: 12/13/95 AMT: \$25,845.00 PAYMENT:

7/2/96 Motion of Greystone Realty Investors, Inc. and Merchants Bonding Company for
Summary Judgment as to Plaintiff, Brown Lumber & Building Supply, Inc. is
GRANTED. Said motion as to all other Plaintiffs is continued generally and
shall be re-set at the request of any party. Further, the trial in Case
Numbers CV-95-404, CV-95-475, CV-95-536 and CV-95-759 are continued and are
hereby re-set on October 29, 1996 at 9:00 A.M. on the Court's NON-JURY docket.
Case Number CV-95-612 is set for JURY trial by separate order. Al Crowson

7/3/96 Notices mailed to G. Douglas Jones, Meade Whitaker & Construction Systems, Inc.
Order (re: Greystone Investors' Motion for Summary Judgment, etc.) filed.

s/ D. Al Crowson, Judge

7/3/96 Trial Setting, Scheduling and Preparation Order filed. s/ D. Al Crowson, Judge
(SET FOR JURY TRIAL THE WEEK OF DEC. 9, 1996)

7/3/96 Copies of above 2 orders mailed to G. Douglas Jones, Meade Whitaker &
Construction Systems, Inc.

7/17/96 Amendment to Complaint filed.

7/17/96 Plaintiff's Amended Resonse and Brief in Opposition to Defendant Greystone's
Motion for Summary Judgment and Motion to Reconsider filed.

7/23/96 Greystone's Reply to Billy Perry's Response in Opposition filed.

10/15/96 The Court having reviewed Plaintiff's Amended Response and Brief in Opposition to
Defendant Greystone's Motion for Summary Judgment and Motion to Reconsider and
Greystone's Reply to Billy Perry's Response in Opposition, is of the opinion
Summary Judgment should be and is hereby entered in favor of Defendant, Greystone
Realty Investors, Inc. on all claims against said Defendant by Plaintiff.

Al Crowson

10/16/96 Notices mailed to G. Douglas Jones, Meade Whitaker & Construction Systems,
Inc.

Certified a true and correct copy

Date: January 9, 1997

Dan Reeves

Inst # 1997-02226

Dan Reeves, Circuit Clerk
Shelby County, Alabama

TAT/011696

01/22/1997-02226
11:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE