

JORDAN EXCAVATING, INC.,
PLAINTIFF

VS

GREYSTONE REALTY INVESTORS,
INC., and CONSTRUCTION
SYSTEMS, INC.,
DEFENDANTS

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA

CIVIL ACTION NUMBER

CV-95-475



SUMMARY JUDGMENT ORDER

THIS CAUSE coming before the Court was submitted on Motion of Greystone Realty Investors, Inc. for Summary Judgment. Upon consideration thereof, together with evidence and oral argument presented by counsel for both parties, the Court is of the opinion said motion is due to be granted. Therefore, it is **ORDERED** that as there is no just reason for further delay, that a final judgment under Rule 54(b) ARCP be and is hereby entered in favor of Defendant, Greystone Realty Investors, Inc., on all claims by Plaintiff in this cause.

Further, as the only remaining claim in this cause is against Construction Systems, Inc., this cause is hereby re-set for trial on the Court's non-jury docket on June 23, 1997 at 9:00 A.M. The pre-trial scheduling order previously entered in this cause is amended to reflect said date and discovery cutoffs are extended accordingly, based on the new trial date.

DONE and ORDERED this 7th day of February, 19 97.



D. Al Crowson
Circuit Judge

Certified a true and correct copy

Date: May 28, 1997



Dan Reeves, Circuit Clerk
Shelby County, Alabama

Inst # 1997-16776

105/30/1997-16776
AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50