

CERTIFICATE OF JUDGMENT

Case Number
CV 92 8035
Yr Number

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

Plaintiff: U. S. T. & D. CO., INC.

Judgment Date 10/4/93

Judgment \$ 123,258.00

Costs 219.00

Other

TOTAL \$ 123,477.00

vs

Defendant: LINDA MCNEELY FREEMAN PERKINS a/k/a LINDA MCNEELY FREEMAN
104 BLUE WING CIRCLE
PELHAM, AL 35124

Inst # 1997-35652

Plaintiff's Atty. Mark D. McKnight

Defendant's Atty. Pro Se

10/31/1997-35652
11:57 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEL 13.50

JUDGMENT RENDERED IN FAVOR OF

X PLAINTIFF

DEFENDANT

JUDGMENT: Default
 Dismissal
 Detinue
 Other

Consent
 Workman's Comp.
 Unlawful Detainer

Non Suit
 Pro Ami

JUDGMENT CONDITIONS:

With Exemptions
 With Prejudice

Without Exemptions
 Without Prejudice

10/4/93 Judgment is rendered in favor of the plaintiff and against
the defendant in the amount of ONE HUNDRED TWENTY-THREE THOUSAND TWO
HUNDRED FIFTY-EIGHT AND 00/100'S (\$123,258.00), per attached order.

Judge Cherner

Certified as a True Copy

October 28, 1997

CLERK

Dolly Connolly

CLERK

IN THE CIRCUIT COURT FOR THE
TENTH JUDICIAL CIRCUIT OF ALABAMA

Filed In Open Court
THIS 4 day of Oct 1993

U.S.T.&D. CO., INC., an)
Alabama corporation,)
Plaintiff(s),)
vs.)
LINDA MCNEELY FREEMAN)
PERKINS, A/K/A LINDA MCNEELY)
FREEMAN,)
Defendant(s).)

POLLY CONRAD
CLERK CIRCUIT COURT
By *[Signature]* DEPUTY CLERK

CIVIL ACTION NO.

CV 92-8035 MC

FINAL JUDGMENT

This case has now been submitted for decision on the motion filed by U.S.T.&D. Co., Inc., for judgment by default against the defendant, Linda McNeely Freeman Perkins, a/k/a Linda McNeely Freeman ("Linda Perkins"). Until October 24, 1991, Linda Perkins was an employee of U.S.T.&D. and occupied a position of trust and confidence in U.S.T.&D.'s bookkeeping and accounting departments. Her duties and responsibilities included the paying of accounts payable and bills to vendors for U.S.T.&D. As such employee, she had access to and authority to fill out checks and negotiable instruments to pay accounts payable and vendors. U.S.T.&D. says that Linda Perkins used her position of trust to embezzle funds from U.S.T.&D. Beginning in 1990, Linda Perkins engaged in a scheme of embezzling funds of U.S.T.&D. by fraudulently altering, forging and changing the names of the true payees of numerous check stubs and concealing that she was unlawfully endorsing and collecting such funds. During the period from 1990 up to and including 1991 when discovered by U.S.T.&D. Linda Perkins

embezzled \$63,258.00.

In connection with such embezzlement, Linda Perkins was indicted and charged with the crime of theft in the first degree and pleaded guilty to the same on May 19, 1992.

In the present case, service of the summons and complaint was effected on Linda Perkins on February 2, 1993. She has failed to file any appearance or response in this case.

In accordance with the evidence submitted, this Court finds that the motion for judgment by default filed by U.S.T.&D. is due to be granted.

Accordingly, judgment is hereby rendered in favor of U.S.T.&D. and against Linda McNeely Freeman Perkins, a/k/a Linda McNeely Freeman, in the amount of \$63,258.00 compensatory damages and, in addition, the sum of \$60,000.00 punitive damages, for the total amount of \$123,258.00.

All costs of court are taxed against the defendant.

This order finally concludes all matters at issue in this case.

Done this 4 day of October, 1993.

Mark Overton
CIRCUIT JUDGE

COPIES TO:

William V. Goodwyn
31 Inverness Center Parkway, Suite 360
Birmingham, AL 35242

Linda McNeely Freeman Perkins, a/k/a 1997-35652
Linda McNeely Freeman
104 Blue Wing Circle
Pelham, AL 35124

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