

AMERICAN ARBITRATION ASSOCIATION
Arbitration Tribunal

In the Matter of the Arbitration between

ROBERT P. TURNER, JR.

AND

AWARD OF THE ARBITRATOR

C & B HOMES

Case Number: 30 110 851 99

I, THE UNDERSIGNED ARBITRATOR, having been designated in accordance with the arbitration agreement entered into by the above-named parties, dated October 16, 1998, and having been duly sworn and having duly heard the proofs and allegations of the parties, AWARD, as follows:

On the Claim, C & B HOMES shall pay to ROBERT P. TURNER, JR. the sum of FORTY-FIVE THOUSAND ONE HUNDRED FORTY-FIVE DOLLARS AND SIXTY-SEVEN CENTS (\$45,145.67) to be paid within thirty (30) days from the date of this Award and thereafter shall accrue interest at the rate of ten percent (10%) per annum until paid in full.

The Breakdown is as follows:

| | |
|---|--------------------|
| Amount of Claim (not including attorney's fees or arbitration costs)..... | \$47,657.10 |
| Less amount to cover C & B Homes' subs who might not be paid. There are no liens filed against this job or Turner. It's now too late to file any..... | (2,511.43) |
| TOTAL | \$45,145.67 |

On the claim for attorney's fees, C & B HOMES shall pay to ROBERT P. TURNER, JR. the sum of FIVE HUNDRED FORTY-TWO DOLLARS AND NINETY CENTS (\$542.90) to be paid within thirty (30) days from the date of this Award.

All other claims and counterclaims after due consideration are rejected and denied in their entirety.

The administrative fees and expenses of the American Arbitration Association totaling ONE THOUSAND FIFTY DOLLARS AND NO CENTS (\$1,050.00) shall be borne by C & B HOMES. Therefore, C & B HOMES shall pay to ROBERT P. TURNER, JR. the sum of ONE THOUSAND FIFTY DOLLARS AND NO CENTS (\$1,050.00) for that portion of its share of administrative fees and expenses previously advanced by ROBERT P. TURNER, JR. to the Association.

The compensation and expenses of the arbitrator totaling SEVEN HUNDRED FIFTY DOLLARS AND NO CENTS (\$750.00) shall be borne by C & B HOMES. Therefore, C & B HOMES shall pay to ROBERT P. TURNER, JR. the sum of SEVEN HUNDRED FIFTY DOLLARS AND NO CENTS (\$750.00) for that portion of its share of arbitrator's compensation previously advanced by ROBERT P. TURNER, JR. to the Association.

This Award is in full settlement of all claims submitted to this arbitration.



Ernest Dean Thomson, Arbitrator

Date: 2/3/00

02/15/2000-04810
03:43 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 HNS 8.50

Inst # 2000-04810