

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

REGIONS INTERSTATE BILLING
SERVICE, INC.

Plaintiff,

v.

HARRY & BRENDA BARTON, d/b/a
HARDWAY HAULING,

Defendant.

ACTION NO: DV 99-1090

MOTION TO SET ASIDE CERTIFICATE OF JUDGMENT
ON DEFENDANT, BRENDA BARTON

COMES NOW the plaintiff, Regions Interstate Billing Service, and respectfully requests that the Certificate of Judgment entered in this action against Brenda Barton and recorded in the Probate Office of Shelby County on January 12, 2000 on Inst # 2000-01262 be set aside. As cause for such action the plaintiff would show the following:

1. At the time that the Summons and Complaint was filed and, subsequently, when the Application for Default Judgment was filed, the plaintiff was unaware that the defendant, Brenda Barton, was not a shareholder of the business, Hardway Hauling.

2. The default judgment against Brenda Barton has been amended by Judge Reeves, a District Court Judge for Shelby County, to show Harry Barton, d/b/a Hardway Hauling, as the only defendant.

WHEREFORE, premises considered, the plaintiff requests that this Honorable Court set aside the Certificate of Judgment on Brenda Barton.

Respectfully submitted this the 20th day of March, 2000


BRIAN M. WHITE
for AMELIA H. GRIFFITH
Attorney for Plaintiff

OF COUNSEL:
WHITE, GRIFFITH & OAKES, P.C.
P.O. BOX 2538
DECATUR, ALABAMA 35602
TELEPHONE (256) 355-1100

ORDER

WHEREFORE, premises considered, it is hereby Ordered that the Motion To Set Aside The Certificate of Judgment On Defendant, Brenda Barton, is GRANTED.

Signed this the _____ day of _____

Inst # 2000-09809

PROBATE JUDGE

03/28/2000-09809
09:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 11.00

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

REGIONS INTERSTATE BILLING
SERVICE, INC.

Plaintiff,

v.

HARRY & BRENDA BARTON, D/B/A
HARDWAY HAULING,

Defendant.

ACTION NO: SMDX99-1090



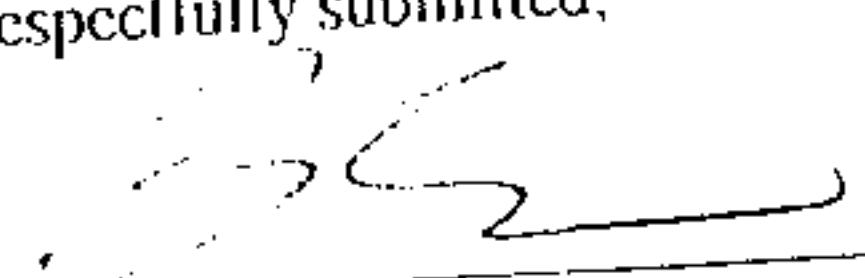
MOTION TO AMEND JUDGMENT

COMES NOW the plaintiff, Regions Interstate Billing Service, and respectfully requests that the default judgment entered in this action be amended to withdraw Brenda Barton as a defendant. At the time that the Summons and Complaint was filed and, subsequently, when the Application for Default Judgment was filed, the plaintiff was unaware that the defendant, Brenda Barton, was not a shareholder of the business, Hardway Hauling.

WHEREFORE, the plaintiff requests that this Honorable Court to amend the default judgment to list Harry Barton as the only defendant and to set aside the judgment against Brenda Barton.

Ordered this the 6th day of March, 2000

Respectfully submitted,

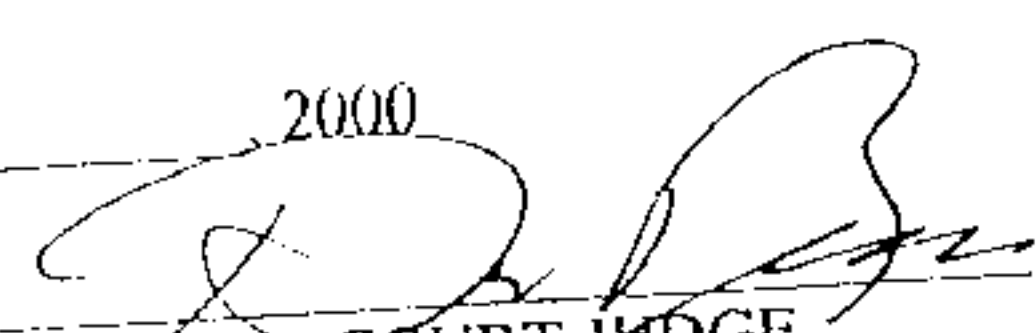

BRIAN M. WHITE for
AMELIA H. GRIFFITH
Attorney for Plaintiff

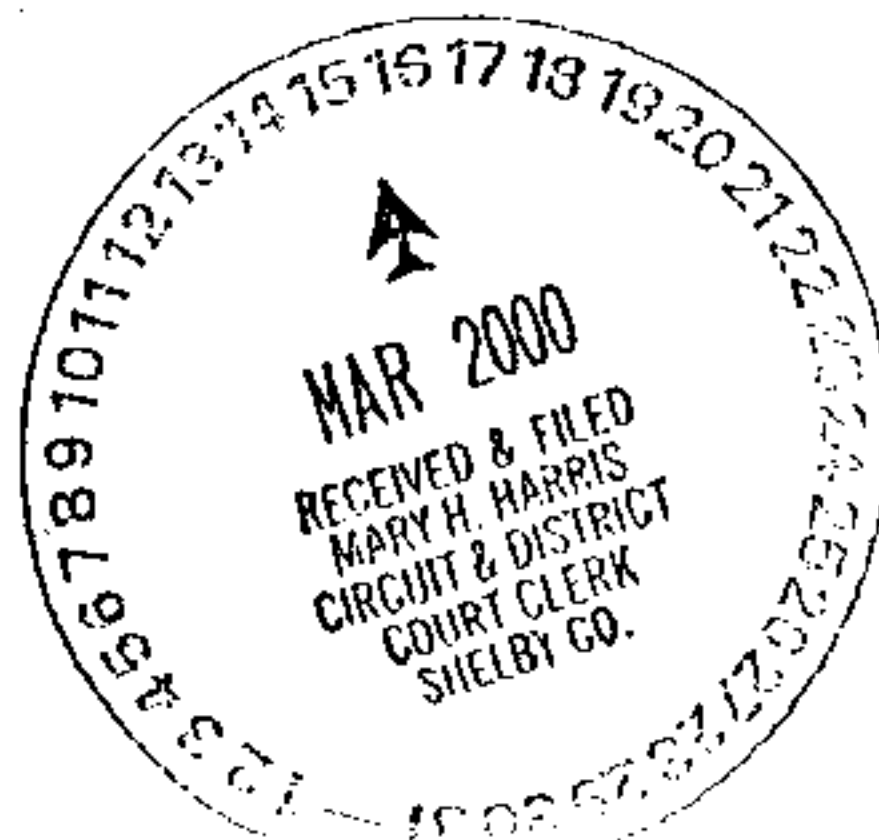
OF COUNSEL:
WHITE, GRIFFITH & OAKES, P.C.
P.O. BOX 2538
DECATUR, ALABAMA 35602
TELEPHONE (256) 355-1100

ORDER

WHEREFORE, premises considered, it is hereby Ordered that the Motion to amend the Judgment in the foregoing manner is GRANTED.

Signed this the 14th day of March, 2000


DISTRICT COURT JUDGE



Inst # 2000-09809

03/28/2000-09809
09:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 11.00