

ALABAMA JUDICIAL DATA CENTER
JEFFERSON COUNTY
CERTIFICATE OF JUDGEMENTCV 1999 006822.00
TENNANT M SMALLWOODIN THE CIRCUIT COURT OF JEFFERSON COUNTY
FIRST COMMERCE LEASING CORP VS CAHABA VALLEY MILLWORK INC ET AL

DEFENDANT

BYERS DAVID F SR
P O BOX 382256

BHAM ,AL 35238-2256

PARTY'S ATTORNEY:

*** PRO SE ***

I, POLLY CONRADI (CV) , CLERK OF THE ABOVE NAMED COURT HEREBY
CERTIFY THAT ON 06/02/2000 PLAINTIFF, FIRST COMMERCE LEASING COR RECOVERED
OF DEFENDANT IN SAID COURT A JUDGEMENT WITHOUT WAIVER OF EXEMPTIONS FOR THE
SUM OF \$263,110.54 DOLLARS PLUS \$.00 DOLLARS COURT COSTS, AND
THAT THE PLAINTIFF'S ATTORNEY(S) OF RECORD WAS: DYESS JEFFREY DARREN

06/02/2000 JUDGMENT IS RENDERED IN FAVOR OF THE PLAINTIFF AND AGAINST
THE DEFENDANT. ORDER PER SEPARATE PAPER.

JUDGE SMALLWOOD

GIVEN UNDER MY HAND THIS DATE 06/29/2000

CLERK: POLLY CONRADI (CV)
801 N 21ST ST ROOM 901
BIRMINGHAM AL 35203
(205)325-5355OPERATOR: EDH
PREPARED: 06/29/2000

PLAINTIFF'S ATTORNEY:

DYESS JEFFREY DARREN
HAND/ARENDALL, L.L.C.
2001 PK PL N. SUITE 900
BIRMINGHAM AL 35203

Inst # 2000-25539

07/31/2000-25539
09:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

FILED IN OFFICE

JUN 2 2000

POLLY CONRADI, Clerk

FIRST COMMERCE LEASING
CORPORATION,

Plaintiff,

vs.

DAVID F. BYERS, SR., *et al.*

Defendants.

CIVIL ACTION NUMBER:

CV 99-6822 ✓

Filed In Open Court

THIS 30th day of May 2000

POLLY CONRADI
CLERK CIRCUIT COURT

By Martha Haywood
DEPUTY CLERK

DEFAULT JUDGMENT

This cause came before the Court on May 25, 2000 for hearing as scheduled on the Plaintiff's motion for entry of judgment by default. Appearing for Plaintiff First Commerce Leasing Corporation ("Plaintiff") were counsel and Jimmy Collins, Executive Vice President and Chief Credit Officer for Plaintiff.

Base upon the evidence presented, the court finds that the above entitled cause became in default as to Defendant Cahaba Valley Millwork, Inc. on January 16, 2000, as to Defendant Cahaba Lumber & Millwork, Inc. on February 10, 2000, and as to David F. Byers, Sr. on April 8, 2000, as a result of the failure of each of these Defendants individually to plead or otherwise respond to the summons and complaint which were duly served on these Defendants on December 16, 1999, January 10, 2000, and March 8, 2000, respectively.

The Court further finds that an entry of default was duly requested by plaintiff against Defendant Cahaba Valley Millwork, Inc. on January 27, 2000, against Cahaba Lumber & Millwork on February 18, 2000, and against David F. Byers, Sr. on April 27, 2000.

Further, from the evidence presented at the hearing, the Court finds that the Plaintiff has suffered damages in the sum of Two Hundred Fifty Five Thousand Ninety Hundred Eighty-Two and 00/100 Dollars (\$255,982.00). Pursuant to the testimony of Plaintiff's representative, the Plaintiff is also entitled to an award from Defendants of Six Hundred Forty-Nine and 77/100 Dollars (\$649.77) for reasonable expenses incurred in the collection of its accounts with these Defendants. Further, pursuant to the testimony of Plaintiff's representative at the hearing, it appears that the Plaintiff is entitled to an award of attorneys fees from Defendants in the sum of Six Thousand Four Hundred Seventy-Eight and 77/100 Dollars (\$6,478.77).

It is, therefore, **ORDERED**, **ADJUDGED** and **DECREED** that the **JUDGMENT** for Two Hundred Sixty-Three Thousand One Hundred Ten and 54/100 Dollars (\$263,110.54) in compensatory damages is hereby **ENTERED** in favor of Plaintiff First Commerce Leasing Corporation and against Defendants Cahaba Valley Millwork, Inc., Cahaba Lumber & Millwork, Inc. and David F. Byers, Sr.

Costs of this suit are taxed as paid.

Done this 30th day of May, 2000.


Tennant M. Smallwood, Jr.
Jefferson County Circuit Court

Distribution:

Jeff Dyess
Cahaba Valley Millwork, Inc.
Cahaba Lumber and Millwork, Inc.,
David H. Byers, Sr.

Inst # 2000-25539

07/31/2000-25539
09:49 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

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