

AV50912

ALABAMA JUDICIAL DATA CENTER
JEFFERSON COUNTY
CERTIFICATE OF JUDGEMENT

CV 2000 006437.00
THOMAS A WOODALL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

PHOENIX LEASING INC VS VOYAGER INVESTMENTS CO INC

DEFENDANT

MAGEE BRIAN D AKA BRIAN STEW
MAGEE
595 MADDOX FARM RD
ODENVILLE, AL 35120-0000

PARTY'S ATTORNEY:

*** PRO SE ***

I, POLLY CONRADI (CV), CLERK OF THE ABOVE NAMED COURT HEREBY
CERTIFY THAT ON 10/23/2000 PLAINTIFF, PHOENIX LEASING INC RECOVERED
OF DEFENDANT IN SAID COURT A JUDGEMENT WITHOUT WAIVER OF EXEMPTIONS FOR THE
SUM OF \$264,964.26 DOLLARS PLUS \$154.00 DOLLARS COURT COSTS, AND
THAT THE PLAINTIFF'S ATTORNEY(S) OF RECORD WAS: MCARDLE WALTER FRANKLIN

10/23/2000 OUT OF STATE FOREIGN JUDGMENT (SEE ATTACHED JUDGMENT FROM
THE SUPERIOR COURT OF CALIFORNIA COUNTY OF MARIN)

GIVEN UNDER MY HAND THIS DATE 12/19/2000



CLERK: POLLY CONRADI (CV)
RM 400 JEFF CO COURTHOUSE
BIRMINGHAM AL 35203
(205) 325-5355

OPERATOR: EDH
PREPARED: 12/19/2000

PLAINTIFF'S ATTORNEY:

Inst # 2001-02053

MCARDLE WALTER FRANKLIN
SPAIN & STILLEN L.L.C.
2117 2ND AVE NORTH
BIRMINGHAM AL 35203

01/19/2001-02053
08:50 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MAY 23.00

1 JEFFER, MANGELS, BUTLER & MARMARO LLP
2 ROBERT B. KAPLAN (Bar No. 76950)
3 DARCEY L. WONG (Bar No. 193842)
4 One Sansome Street, 12th Floor
5 San Francisco, California 94104-4430
6 Telephone: (415) 398-8080
7 Fax: (415) 398-5584

8 Attorneys for Plaintiff
9 PHOENIX LEASING INCORPORATED

FILED

JUL 21 2000

JOHN P. MONTGOMERY,
Court Executive Officer
MARIN COUNTY SUPERIOR COURT
By: V. Morales, Deputy

10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF MARIN

13 PHOENIX LEASING INCORPORATED, a) CASE NO.CV 001460
14 California corporation,)
15 Plaintiff,) JUDGMENT BY COURT
16 v.) AFTER DEFAULT
17 VOYAGER INVESTMENTS CO., INC.,)
18 etc., et al.)
19 Defendants.)

20 The defendants Voyager Investments Co., Inc.;
21 Gerald Mack Freeman, aka Gerald Freeman, aka Gerald M. Freeman;
22 Karen Mary Freeman, aka Karen M. Freeman, aka Karen J. Freeman,
23 aka Karen Freeman, aka Karen Mary Jones; Brian D. Magee, aka
24 Brian Stewart Magee, aka Brian Magee having been regularly served
25 with copies of the summons and complaint, and having failed to
26 appear and answer plaintiff's complaint within the time allowed
27 by law, and the default of said defendants having been duly
28 entered, upon application of plaintiff to this Court, and after
having considered the evidence, the Court orders the following
judgment:

1 IT IS ORDERED, ADJUDGED, AND DECREED that
2 plaintiff, Phoenix Leasing Incorporated ("Phoenix"), recover from
3 defendants Voyager Investments Co., Inc.; Gerald Mack Freeman,
4 aka Gerald Freeman, aka Gerald M. Freeman; Karen Mary Freeman,
5 aka Karen M. Freeman, aka Karen J. Freeman, aka Karen Freeman,
6 aka Karen Mary Jones; Brian D. Magee, aka Brian Stewart Magee,
7 aka Brian Magee judgment in the principal sum of \$258,976.71,
8 plus attorneys' fees in the sum of \$5,473.55, plus costs of suit
9 incurred in the sum of \$534.00, plus any additional attorneys'
10 fees incurred herein pursuant to California Code of Civil
11 Procedure § 685.040.

12
13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
14 plaintiff, Phoenix Leasing Incorporated, is entitled to
15 possession of all personal property of defendant Voyager
16 Investments Co., Inc. to wit: the personal property listed on
17 Exhibit A and Exhibit B attached hereto and incorporated herein
18 by this reference as though set forth in full (the "Personal
19 Property").

20
21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
22 Plaintiff may sell the Personal Property in a commercially
23 reasonable manner in accordance with the California Commercial
24 Code, and in particular, in accordance with California Commercial
25 Code § 9504. The net proceeds of such sale, after deduction of
26 reasonable expenses of retaking, holding, preparing for sale,
27 selling and the like, shall be applied to the judgment.

28 //

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
2 levying officer may enter the following private places, located
3 at: (1) 1421 Forestdale Blvd, Birmingham, Alabama 35214, County
4 of Jefferson ("Location No. 1"); (2) Galleries at River Chase
5 Suites, Hoover, Alabama, 35244, County of Jefferson; and (3)
6 3075 Highway 150, Hoover, Alabama, County of Jefferson, to take
7 possession of the Personal Property.

8
9 IT IS FURTHER ORDERED, that the defendant Voyager
10 Investments Co., Inc., turn over said property to Phoenix Leasing
11 Incorporated, at its offices, located at 2401 Kerner Blvd., San
12 Rafael, California 94901.

13
14 DATED: 7/21/00

Wm Dwyer
JUDGE OF THE SUPERIOR COURT

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26 Inst # 2001-02053

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28 01/19/2001-02053
08:50 AM CERTIFIED
-3-SHELBY COUNTY JUDGE OF PROBATE

005 MMB 23.00