

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

HAJOCA CORPORATION, a corporation,

Plaintiff,

VS.

PROMEK, INC., a corporation, and
RICK W. GUIDER, an individual,

Defendants.

FILED IN OFFICE
DEC 14 2000

POLLY CONRADI, Clerk
CASE NO.: CV 0007533


200101 / 6683

**NOTICE OF FILING AFFIDAVIT UNDER THE
UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT**

COMES NOW Hajoca Corporation, Plaintiff in the above-styled action, and hereby gives notice of the filing of the following Affidavit pursuant to the Uniform Enforcement of Foreign Judgments Act and Section 6-9-233, Code of Alabama (1975):

1. The Affidavit of Michael B. Odom, counsel of record for Hajoca Corporation in the State of Alabama, attached hereto.


ROBERT H. ADAMS (ADA005)


MICHAEL B. ODOM (ODO014)
Attorneys for Plaintiff

OF COUNSEL:

Najjar Denaburg, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203
(205) 250-8400

Inst # 2001-10535

03/23/2001-10535
08:25 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
007 ME 29.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

HAJOCA CORPORATION, a corporation,

Plaintiff,

VS.

PROMEK, INC., a corporation, and
RICK W. GUIDER, an individual,

Defendants.

FILED IN OFFICE

DEC 14 2000

POLEY CONRADI, Clerk

CASE NO.: CV 0007533

AFFIDAVIT OF MICHAEL B. ODOM

I, Michael B. Odom, having been duly sworn, depose and state that I am over the age of nineteen (19) years and have personal knowledge of the following and am competent to testify to same:

1. I am the attorney of record for Hajoca Corporation, Plaintiff in the above-styled action, whose principal place of business is situated in the State of Georgia at 4263 Arbor Club Drive, Marietta, Georgia 30066.

2. A foreign judgment has been rendered in the State of Tennessee in the certain action styled Hajoca Corporation v. Promek, Inc. and Rick W. Guider, Case Number 13, 037, in the Chancery Court of Monroe County, Tennessee, a copy of which is attached hereto as Exhibit "A".

3. The foreign judgment is valid, enforceable, and unsatisfied. The amount of the unpaid judgment is \$490,426.84.

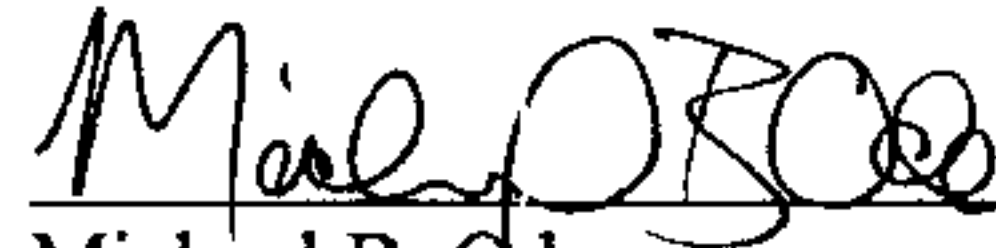
4. The last known address of the judgment debtors is 282 Industrial Park Road, Sweetwater, Tennessee 37874.

5. Copies of the Notice of Filing Affidavit, this Affidavit and the exemplified copy of foreign judgment have been mailed via Certified Mail, return receipt requested, to the judgment

defendants, Promek, Inc. and Rick W. Guider, at their last known address by letter dated December 8, 2000 attached hereto as Exhibit "B."

FURTHER, AFFIANT SAITH NOT.

Dated this the 12th day of December, 2000.

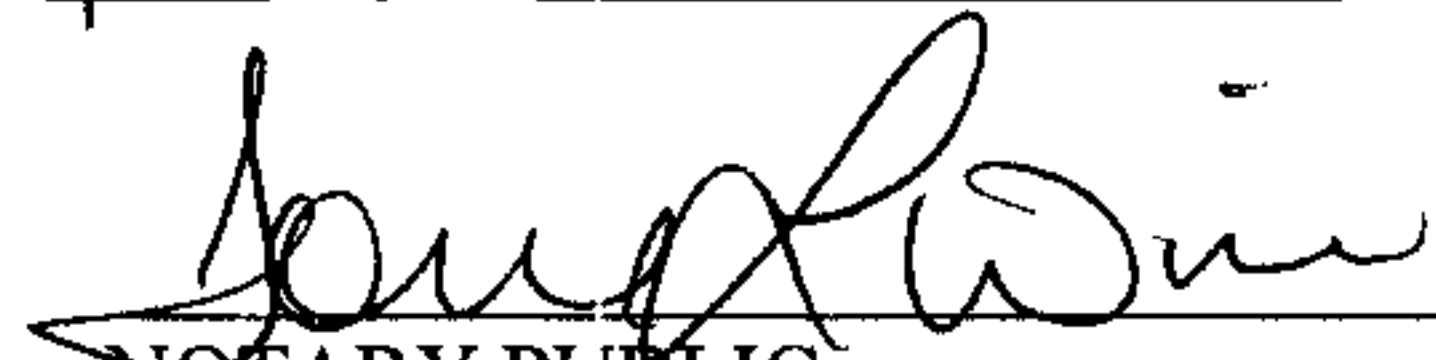


Michael B. Odom

STATE OF ALABAMA)
JEFFERSON COUNTY)

Before me, the undersigned notary public in and for said county and state, personally appeared **Michael B. Odom**, who is known to me and who, being first duly sworn, deposes and says that he has read the foregoing and that to the best of his personal knowledge the matters and facts contained therein are true and correct.

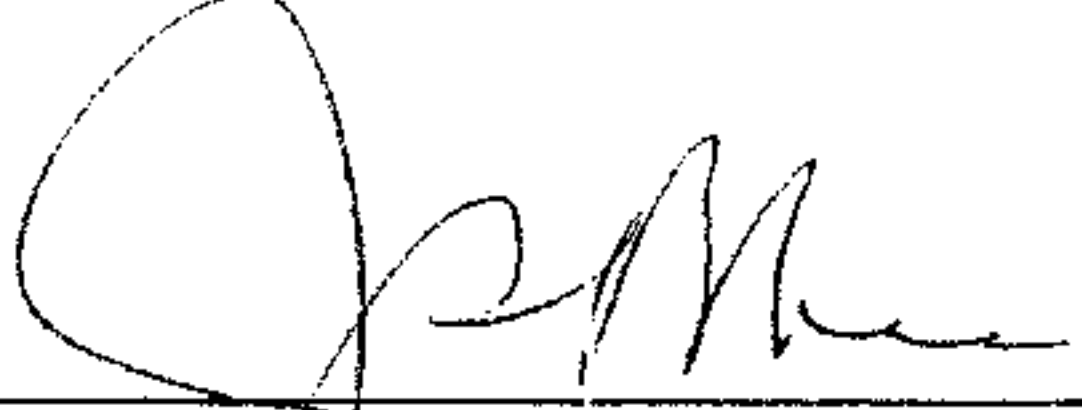
Sworn to and subscribed before me on this 12th day of December, 2000.




NOTARY PUBLIC
My Commission Expires: 12-20-03

IN THE CHANCERY COURT IN AND FOR MONROE COUNTY, TENNESSEE

I, Judith B Lee, Clerk of the Chancery Court of Monroe County, Tennessee and keeper of the records and seal thereof do hereby certify that the document attached is a true copy of the Default Judgement in the case of Hajoca Corporation v. Promek, Inc. and Rick W. Guider filed and recorded in said Chancery Court of Monroe County, on the 19th day of September, 2000, said Default Judgement being recorded in Official Records Book M125 page 176 of the public records of Monroe County, Tennessee.

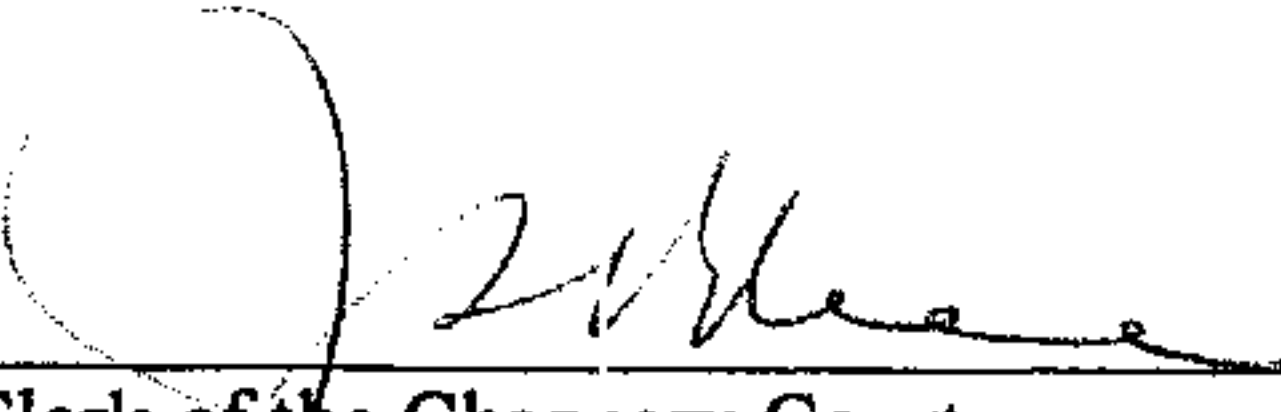

Clerk of the Chancery Court
Monroe County, State of Tennessee

I, Jerri Bryant, Judge of the Chancery Court of Monroe County, Tennessee, do hereby certify that Judy Lee, whose name is above written and subscribed, is and was at the date thereof, the Clerk of said Court duly appointed and sworn, and keeper of the records and seal thereof, and that the above certificate by him made and his attestation of record thereof is in due form of law. This 1 day of November, 2000.


Judge of the Chancery Court
Monroe County, State of Tennessee

I, Judith B Lee, Clerk of the Chancery Court of Monroe County, Tennessee, and keeper of the seal thereof, do certify that the Honorable Jerri Bryant, whose name is within written and subscribed, was on the 1st day of November, 2000, and is now Judge of the said Court, and duly holds that office according to the laws of the State of Tennessee, and that I am well acquainted with his handwriting and official signature and know and certify the same within written to be his.

IN TESTIMONY WHEREOF, I hereby sign and affix the seal of said Court at the City of Nashville, in said State and County, this 1st day of November 2000.


Clerk of the Chancery Court
Monroe County, State of Tennessee

EXHIBIT

A

IN THE CHANCERY COURT OF MONROE COUNTY, TENNESSEE

HAJOCA CORPORATION,

Plaintiff,

v.

PROMEK, INC. and
RICK W. GUIDER,

Defendants.

NO. 13,037

FILED

SEP 19 2000

TIME _____
JUDITH B. LEE
CLERK & MASTER-MONROE CTY.

DEFAULT JUDGMENT


Plaintiff's motion for default judgment came to be heard by the Court on Tuesday, September 19, 2000. The Court record shows that Defendant Promek, Inc. was served with process on July 31, 2000 and Defendant Rick W. Guider was served with process on August 8, 2000. The record further shows that neither Promek, Inc. nor Rick W. Guider has answered or otherwise appeared in this action.

After reviewing the record, including the affidavit of debt submitted by Mark Davis, Plaintiff's District Credit Manager, the Court finds that Defendants are indebted to Plaintiff in the principal amount of \$431,324.99. The Court further finds that Defendants are liable to Plaintiff for interest in the amount of \$57,101.85. The Court further finds that Defendants are liable to Plaintiff for contractual attorneys' fees in the amount of \$2000⁰⁰.


Wherefore, the Court hereby grants Plaintiff Hajoca Corporation a judgment against Promek, Inc. and Rick W. Guider, jointly and severally, in the total amount of \$490,426⁸⁴.

All costs of this action are taxed against Defendants.

ENTER this the 19 day of Sept, 2000.


CHANCELLOR

APPROVED FOR ENTRY:
SAMPLES, JENNINGS & PINEDA, P.L.L.C.

By: 
(Michael S. Pineda)
TN Bar #10580
Attorneys for Plaintiff
Shallowford Law Center
130 Jordan Drive
Chattanooga, Tennessee 37421
423/892-2006

BK M125 PG 176

CERTIFICATE OF SERVICE

I, Michael S. Pineda, do hereby certify that a copy of the foregoing pleading has been served upon the following:

Rick W. Guider
282 Industrial Park Road
Sweetwater, Tennessee 37874

Promek, Inc.
282 Industrial Park Road
Sweetwater, Tennessee 37874

by depositing a copy of same in the United States Mail with sufficient postage thereon to ensure prompt delivery.

This the 19 day of Sept, 2000

SAMPLES, JENNINGS & PINEDA, P.L.L.C.

By: [Signature]
(Michael S. Pineda)

State of Tennessee, County of MONROE
Received for record the 19 day of
SEPTEMBER 2000 at 9:39 AM. (RECH 110404)
Recorded in Book M125 Pages 176- 177
Notebook 44 Page 417
State Tax \$.00 Clerks Fee \$.00,
Recording \$ 10.00, Total \$ 10.00,
Register of Deeds MILDRED A ESTES

33784
I do hereby certify this to be a
true and correct copy of the
original judgment now
on file in this office.
[Signature]
Monroe County Clerk and Master
[Signature]
Deputy Clerk and Master

BK M125 PG 177

Attorneys at Law

Direct Dial (205) 250-8466
Facsimile (205) 326-3837
E-mail: modom@najjar.com

2125 Morris Avenue
Birmingham, Alabama 35203
Telephone (205) 250-8400
Internet: www.najjar.com

December 12, 2000

VIA CERTIFIED MAIL

Mr. Rick W. Guider
282 Industrial Park Road
Sweetwater, Tennessee 37874

Promek, Inc.
282 Industrial Park Road
Sweetwater, Tennessee 37874

RE: *Hajoca Corporation v. Promek, Inc. and Rick W. Guider*

Dear Sir or Madam:

Enclosed are copies of a Notice of Filing Affidavit Under the Uniform Enforcement of Foreign Judgments Act, Affidavit of Michael B. Odom and an exemplified copy of the foreign judgment attached as Exhibit "A." These documents have been forwarded to the Circuit Court of Jefferson County, Alabama along with a copy of this letter for filing.

Sincerely

NAJJAR DENABURG, P.C.

MileyBOA

Michael B. Odom

MBO/tc

Enclosure

State of Alabama - Jefferson County
I certify this instrument filed on:
2001 JAN 19 P.M. 15:14

Recorded and \$	Mtg. Tax
and \$	Deed Tax and Fee Amt.
\$ 19.50	Total \$ 19.50

GEORGE R. REYNOLDS, Judge of Probate



200101/6683

Post # 2001-10535

03/23/2001-10535
08:25 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 HB 29-00

EXHIBIT

f