

ALABAMA JUDICIAL DATA CENTER
JEFFERSON COUNTY
CERTIFICATE OF JUDGEMENTCV 2000 004666.00
TENNANT M SMALLWOOD

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

EDWIN L (NED) WEST VS SOUTHEAST CONTROL SYSTEMS INC ET AL

DEFENDANT

SOUTHEAST CONTROL SYSTEMS INC
% KENNETH M BYRNE
3401 AIRPORT HIGHWAY
BHAM ,AL 35222-0000

PARTY'S ATTORNEY:

SPRINGFIELD STEPHEN F
P O BOX 846
BIRMINGHAM ,AL 35201

I, ANNE-MARIE ADAMS , CLERK OF THE ABOVE NAMED COURT HEREBY
CERTIFY THAT ON 03/27/2001 PLAINTIFF, WEST EDWIN L (NED) RECOVERED
OF DEFENDANT IN SAID COURT A JUDGEMENT WITHOUT WAIVER OF EXEMPTIONS FOR THE
SUM OF \$26,500.00 DOLLARS PLUS \$159.00 DOLLARS COURT COSTS, AND
THAT THE PLAINTIFF'S ATTORNEY(S) OF RECORD WAS: *** PRO SE ***

03/27/2001 JUDGMENT RENDERED INFAVOR OF THE PLAINTIFF AND AGAINST
THE DEFENDANT. ORDER PER SEPARATE PAPER, SEE ATTACHED.

JUDGE SMALLWOOD

GIVEN UNDER MY HAND THIS DATE 03/28/2001



Combined Judgments:

\$15,000 on 11/9/2000 against Kenneth Byrne
\$11,500 on 3/13/2001 against Kenneth Byrne

CLERK: ANNE-MARIE ADAMS
RM 400 JEFF CO COURTHOUSE
BIRMINGHAM AL 35203
(205) 325-5355

OPERATOR: EDH
PREPARED: 03/28/2001

PLAINTIFF'S ATTORNEY:

Inst # 2001-14095

WEST EDWIN L (NED)
121 CAMELLIA DRIVE

04/12/2001-14095

BHAM ,AL 35213-0000 02:39 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MB 17.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

FILED IN OFFICE

EDWIN L. ("NED") WEST,

MAR 27 2001

Plaintiff,

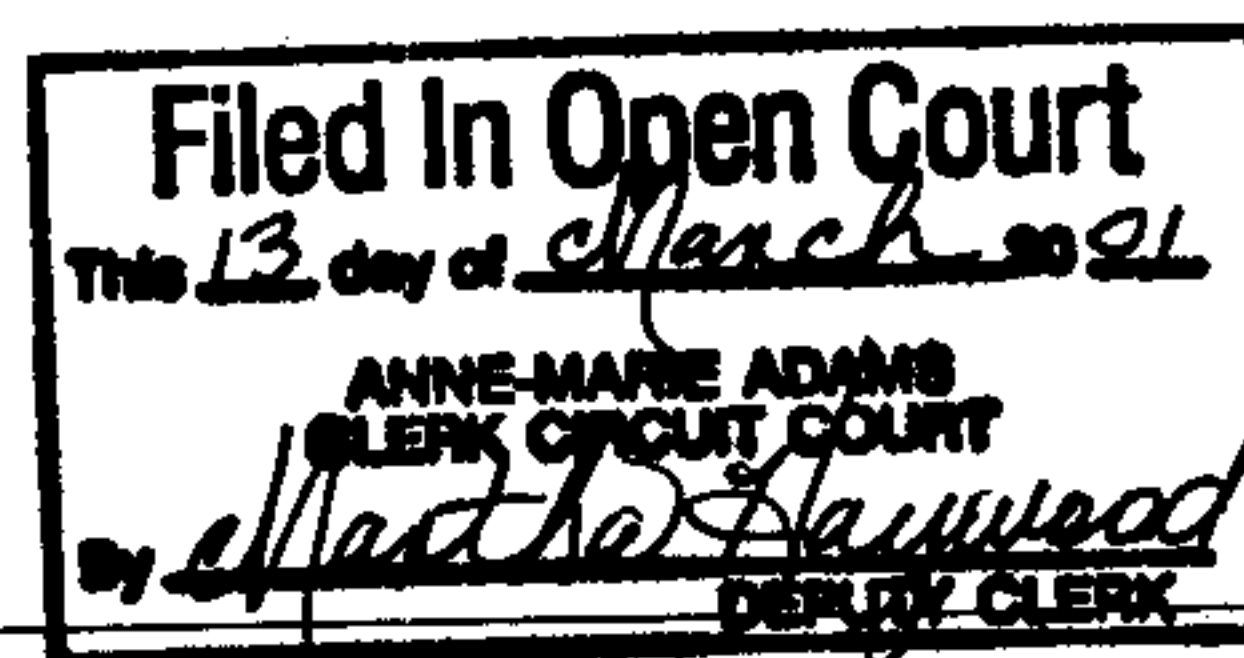
ANNE-MARIE ADAMS
CLERK

vs.

CIVIL ACTION NO.:
CV-00-4666

SOUTHEAST CONTROL
SYSTEMS, INC., and
KENNETH M. BYRNE,

Defendants.



ORDER

Upon Plaintiff's Motion and the March 9, 2001 hearing, at which defendants chose not to attend, the Court finds as follows:

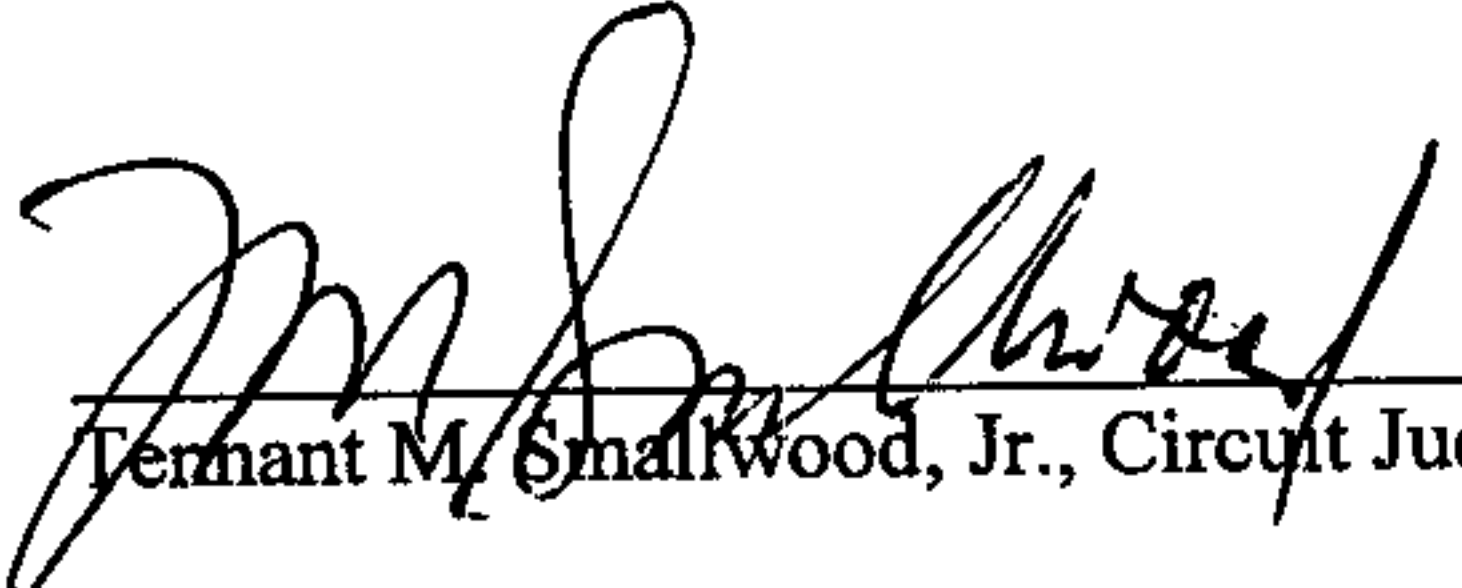
1. The parties entered into a Confidential Release Settlement Agreement on or about October 23, 2000.
2. As defendants breached the terms of their payment plan under the Settlement Agreement, the Court entered a \$15,000.00 judgment against defendants, Southeast Control Systems, Inc. ("Southeast Control") and Kenneth M. Byrne ("Byrne") on November 9, 2000. This judgment drew ten percent (10%) interest per annum.
3. The Court at the time of entering the judgment, did not award attorney's fees, but rather requested that a hearing be held on this issue. That hearing was scheduled on March 9, 2001.
4. At the hearing, plaintiff and his counsel advised the Court that their plaintiff's attorney's fees of \$11,500.00 are reasonable and necessary as the defendants have made this

litigation difficult at every opportunity. The Court finds that defendants refused to produce company documents to plaintiff for inspection and copying even though plaintiff was a shareholder entitled to same under the law. After several attempts to obtain the records, plaintiff eventually had to petition the Court for a special evidentiary hearing. Even though defendants and their counsel strenuously opposed the production of those records, immediately following the hearing, substantial company documentation was produced to plaintiff.

5. In addition to customary discovery and other litigation work, the Court also finds that counsel for plaintiff had to consistently contact counsel for defendants to determine if defendants would honor their settlement agreement.

WHEREFORE, this Court orders and adjudges that in addition to the \$15,000.00 November judgment, an additional \$11,500.00 judgment against Southeast Control and Byrne, jointly and severally, and in favor of plaintiff, Edwin L. West is hereby entered to reimburse plaintiff for his attorney's fees and costs.

ORDERED, this 13th day of March, 2001.


Terment M. Smallwood, Jr., Circuit Judge

cc: Michael J. Velezis, Esq.
Wallace, Jordan, Ratliff
& Brandt, L.L.C.
Post Office Box 530910
Birmingham, Alabama 35253

John L. Hartman, III, Esq.
Hartman, Springfield & Beckham
Mountain Brook Center
2700 Highway 280 South
Suite 360 East
Birmingham, Alabama 35223

Inst # 2001-14095

04/12/2001-14095
02:39 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MB 17.00