

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

Polyone Distribution,
a foreign corporation,

Plaintiff,

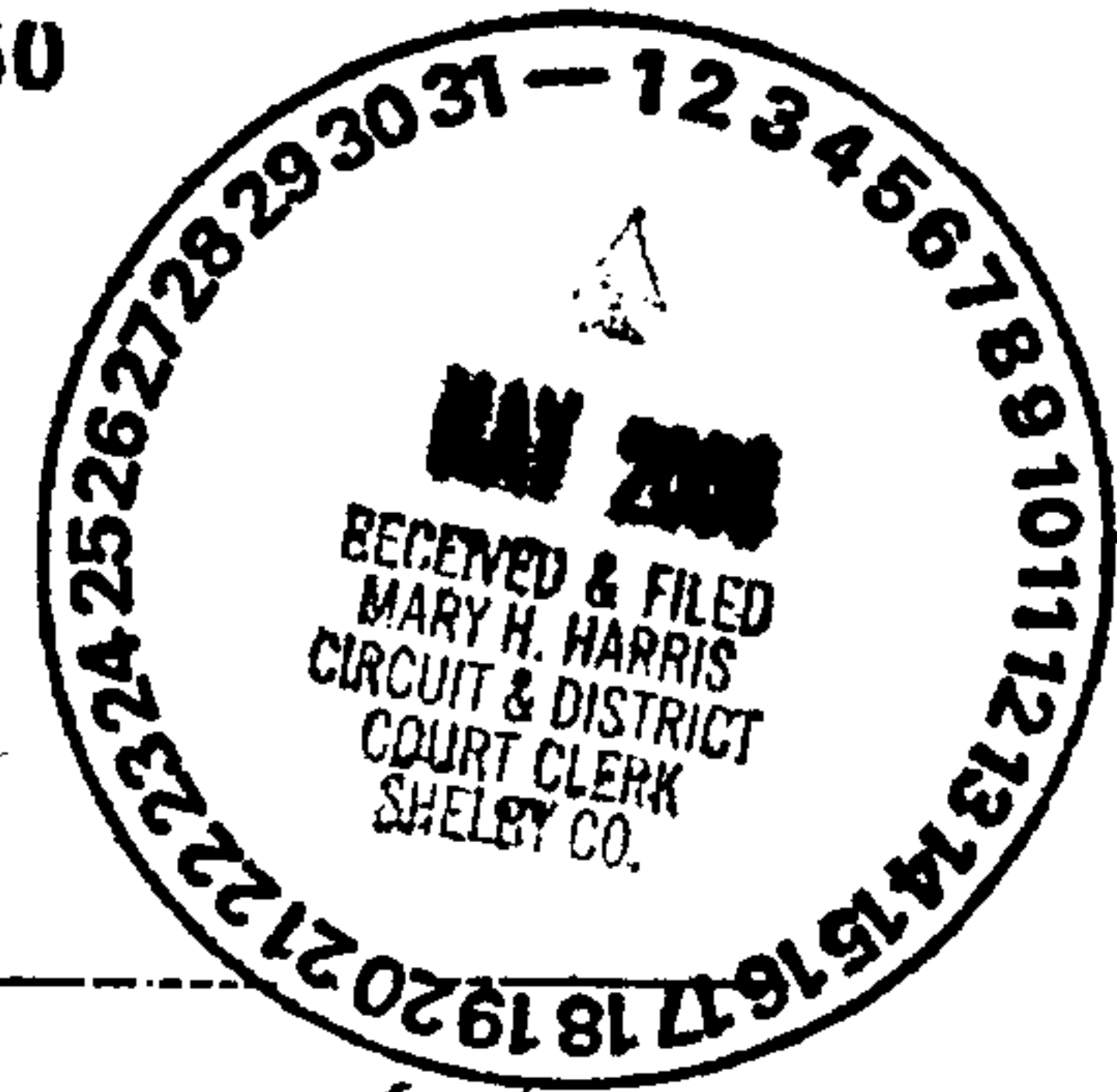
vs.

Star Diversified Products, Inc.,
an Alabama corporation, and Randy
Hutto,

Defendants.

20030606000352300 Pg 1/7 32.00
Shelby Cnty Judge of Probate, AL
06/06/2003 09:28:00 FILED/CERTIFIED

Civil Action No.
CV-2002-001350



ORDER GRANTING APPLICATION FOR CHARGING ORDER

On or about April 30, 2003, the Plaintiff's Application for Charging Order came on to be heard before this Honorable Court. Appearing on behalf of the Plaintiff was Attorney Paige Osborn. Defendant Randy Hutto appeared on behalf of himself. No attorney made an appearance on behalf of Star Diversified Products, Inc.

Having heard the arguments of the parties, it is ordered that the Plaintiff's Application for Charging Order is granted whereby this Court imposes a charge or lien on any and all of the personal property and/or membership interest of Randy Hutto in the limited liability company known as Star Building, L.L.C. This Charging Order is to secure payment of the amount owing on a judgment recovered of Randy Hutto on October 25, 2002, in the amount of \$68,160.94 plus \$448.00 in court cost.

Ordered this 1ST day of May, 2003.

Certified a true and correct copy

Date: 6-6-03

Mary H. Harris

Mary H. Harris, Circuit Clerk
Shelby County, Alabama

Honorable Hub Harrington
HONORABLE HUB HARRINGTON
CIRCUIT JUDGE

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

Polyone Distribution,
a foreign corporation,

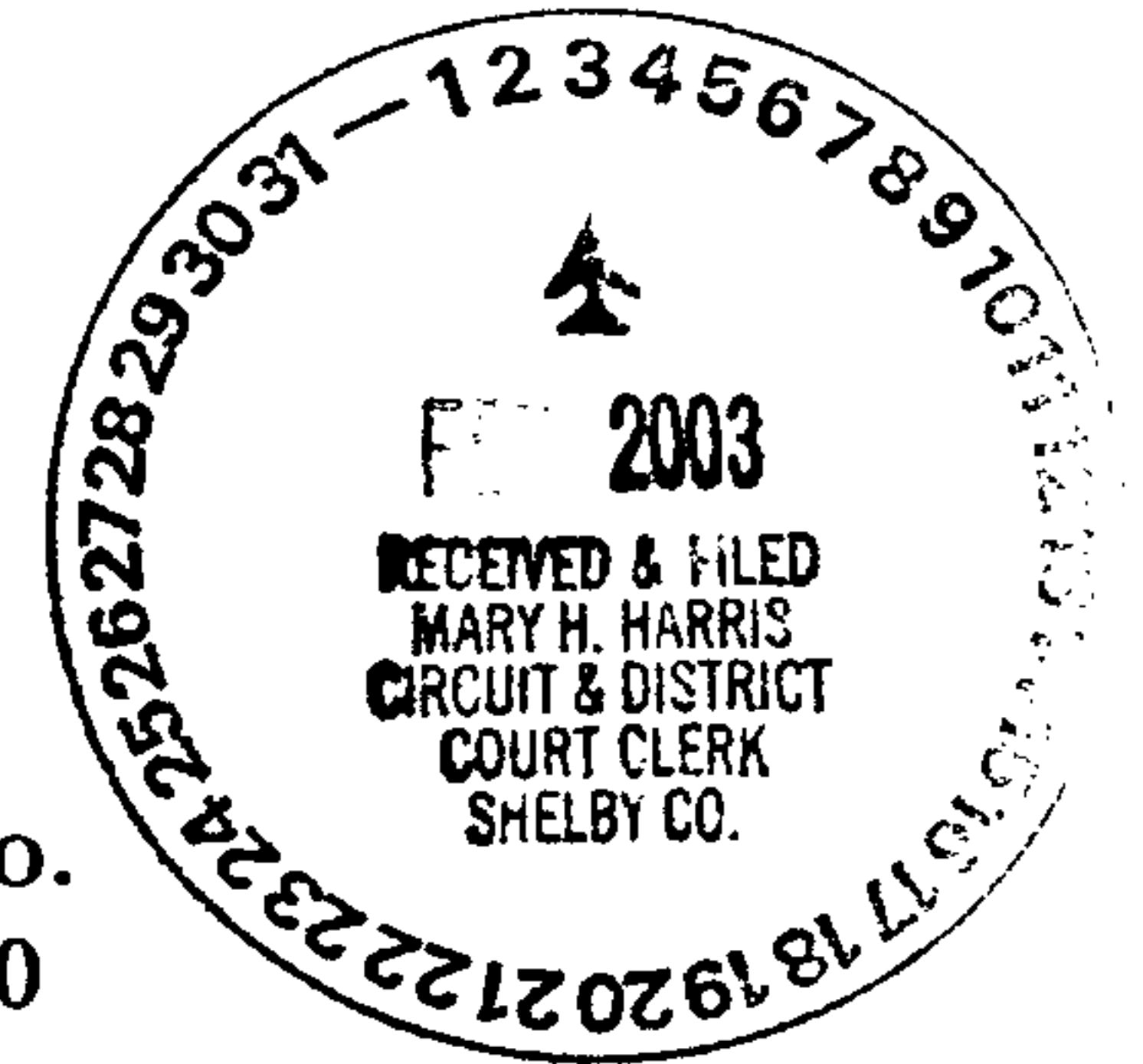
Plaintiff,

vs.

Star Diversified Products, Inc.,
an Alabama corporation, and Randy
Hutto,

Defendants.

Civil Action No.
CV-2002-001350



APPLICATION FOR CHARGING ORDER

COMES NOW Polyone Distribution, Inc., the Plaintiff in the above styled action, pursuant to Ala. Code § 10-12-35 (2002), and applies for an order imposing a charge on the personal property or membership interest of the defendant in the limited liability company known as Star Building, L.L.C. to secure payment of the amount owing on a judgement recovered of Defendant on October 25, 2002 in the amount of \$68,160.94 dollars plus \$448.00 dollars in court costs. As grounds for this application, Plaintiff states as follows:

1. On September 4, 2002, the Clerk of the 12th Judicial Circuit Court, Will County, Illinois entered an order against Randy P. Hutto, Sr. on Polyone Distribution's Motion for Default.

2. On October 25, 2002, counsel for Polyone filed a Notice of Filing of Foreign Judgment along with an application for Domesticating said Foreign Judgment with this court.

3. A Certificate of Judgment was entered by the Clerk of this Court on November 26, 2002 against Randy Hutto in the amount of \$68,160.94 dollars plus \$448.00 dollars in court costs.

4. To date, the Certificate of Judgment remains unsatisfied.

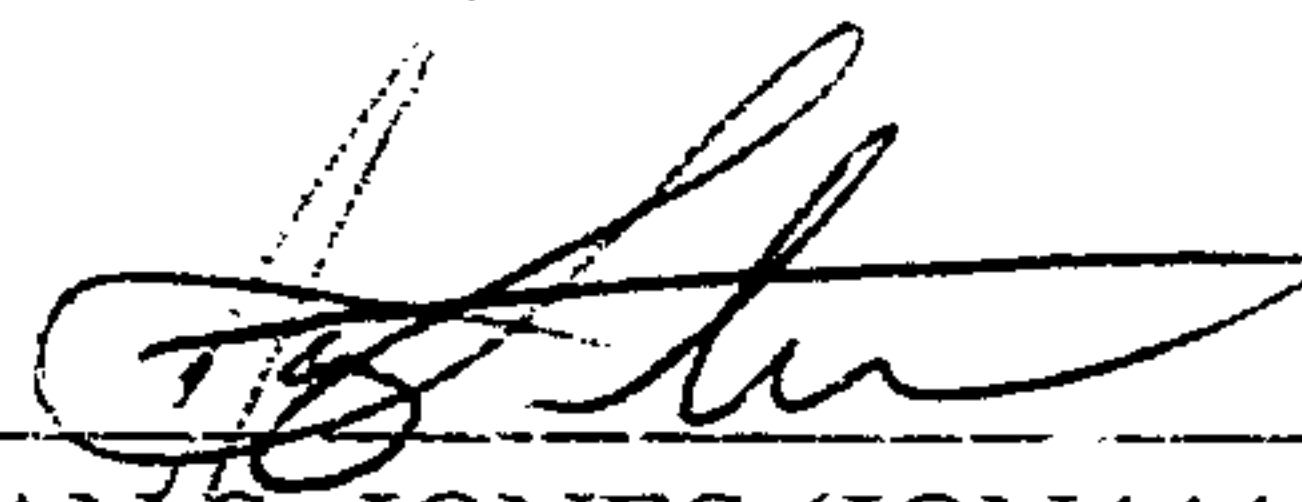
5. The address of Star Building L.L.C. upon which a charge of the defendant's membership interest is sought is 94 Bama Lane, Clanton, AL 35045.

6. Randy Hutto's membership interest in Star Building L.L.C. is one fourth or twenty-five percent. Plaintiff believes this to be so based on the deposition testimony of Joe Borg, a representative of Star Building L.L.C., and Randy Hutto. (Attached as Exhibit 1).

7. According to said deposition testimony, Star Building L.L.C. has a \$115,000.00 or more equity interest in the building located at 94 Bama Lane, Clanton, AL 35045. (See Exhibit 1).

WHEREFORE, Plaintiff, as Randy Hutto's judgment creditor, requests that this Court order a charge against Randy Hutto's membership interest in Star Building, L.L.C.

Respectfully submitted,



ALLAN S. JONES (JON44458)
JAMES A. STEWART (ASB-6201-E645)
Attorneys for Plaintiff,
Polyone Distribution

OF COUNSEL:

**CARR, ALLISON, PUGH, HOWARD,
OLIVER & SISSON, P.C.**

100 Vestavia Parkway, Suite 200
Birmingham, Alabama 35216
(205) 822-2006
(205) 822-2057 facsimile

CERTIFICATE OF SERVICE

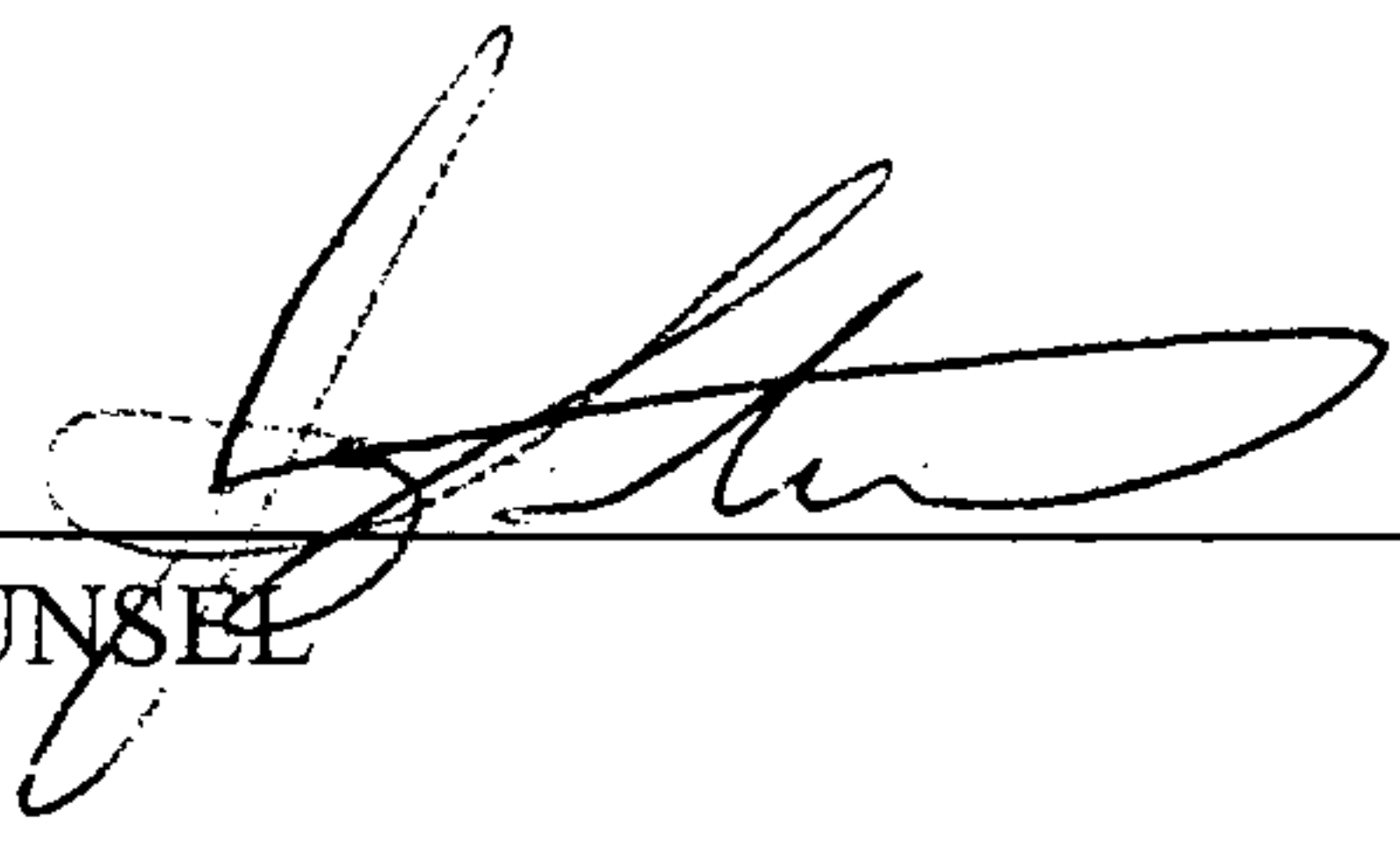
I hereby certify that I have this date served a copy of the foregoing pleading via U. S. Mail upon:

RANDY HUTTO
2812 BRIDLE WOOD TERRACE
HELENA, AL 35080

STAR DIVERSIFIED PRODUCTS
94 BAMA Lane
Clanton, AL 35045

STAR BUILDING L.L.C.
94 BAMA Lane
Clanton, AL 35045

Dated this 28th day of January, 2003.



OF COUNSEL

EXHIBIT 1

1 have a possessor interest in that
2 corporation; correct?

3 A. Correct.

4 Q. What is that interest?

5 A. Twenty-five percent.

6 Q. You own twenty-five percent
7 of all the assets that comprise Star
8 Building, LLC; is that correct?

9 A. Correct.

10 Q. And one of those is the
11 building located at this address in
12 response to interrogatory number three;
13 right?

14 A. Right.

15 Q. What is the building financed
16 for?

17 A. Three hundred and
18 seventy-five thousand.

19 Q. What you have got listed down
20 here?

21 A. That's what I've got listed.

22 Q. You divided that by four to
23 reach what figure?

1 seventy-five, depending on if you can
2 find a buyer. There's an appraiser --
3 there was an appraisal done prior to the
4 economic downturn that showed the value
5 at about four hundred and seventy-four,
6 seventy-five thousand, against which
7 there was a three hundred and
8 seventy-five mortgage.

9 MR. JONES: Do you have
10 copies of these appraisal reports?

11 MR. BORG: Sure, I will glad
12 to provide those.

13 MR. JONES: We need those.

14 MR. BORG: We'll do a list at
15 the end. That leaves an equity of
16 somewhere about a hundred -- the loan
17 balance is down a little bit. It's about
18 three fifty-five.

19 So based on the appraisal
20 value as opposed to whatever today's
21 present value would be, it's probably
22 about a hundred and fifteen thousand
23 dollars equity divided four ways, if you