

AVSO312

ALABAMA JUDICIAL DATA CENTER
JEFFERSON COUNTY
CERTIFICATE OF JUDGEMENT

20040827000481060 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
08/27/2004 10:05:00 FILED/CERTIFIED

CV 2002 007327.00
ALLWIN E HORN III

IN THE CIRCUIT COURT OF JEFFERSON COUNTY

MORGAN BUILDINGS & SPAS INC VS ALL WEIGH SCALE INC

DEFENDANT

ALL WEIGH SCALE, INC
255 RIVERCHASE PKWY E
STE G
BHAM ,AL 35244-0000

PARTY'S ATTORNEY:

*** PRO SE ***

I, ANNE-MARIE ADAMS, CLERK OF THE ABOVE NAMED COURT HEREBY
CERTIFY THAT ON 06/02/2004 PLAINTIFF, MORGAN BUILDINGS & SPAS, I RECOVERED
OF DEFENDANT IN SAID COURT A JUDGEMENT WITHOUT WAIVER OF EXEMPTIONS FOR THE
SUM OF \$26,432.65 DOLLARS PLUS \$154.00 DOLLARS COURT COSTS, AND
THAT THE PLAINTIFF'S ATTORNEY(S) OF RECORD WAS: WOLFE KARY BRYANT

GIVEN UNDER MY HAND THIS DATE 06/23/2004

Anne-Marie Adams

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

OPERATOR: EDH
PREPARED: 06/23/2004

PLAINTIFF'S ATTORNEY:

WOLFE KARY BRYANT
1819 FIFTH AVE NO
STE 1100
BIRMINGHAM AL 35203

IN THE CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA

MORGAN BUILDINGS & SPAS, INC.,)

Plaintiff,)

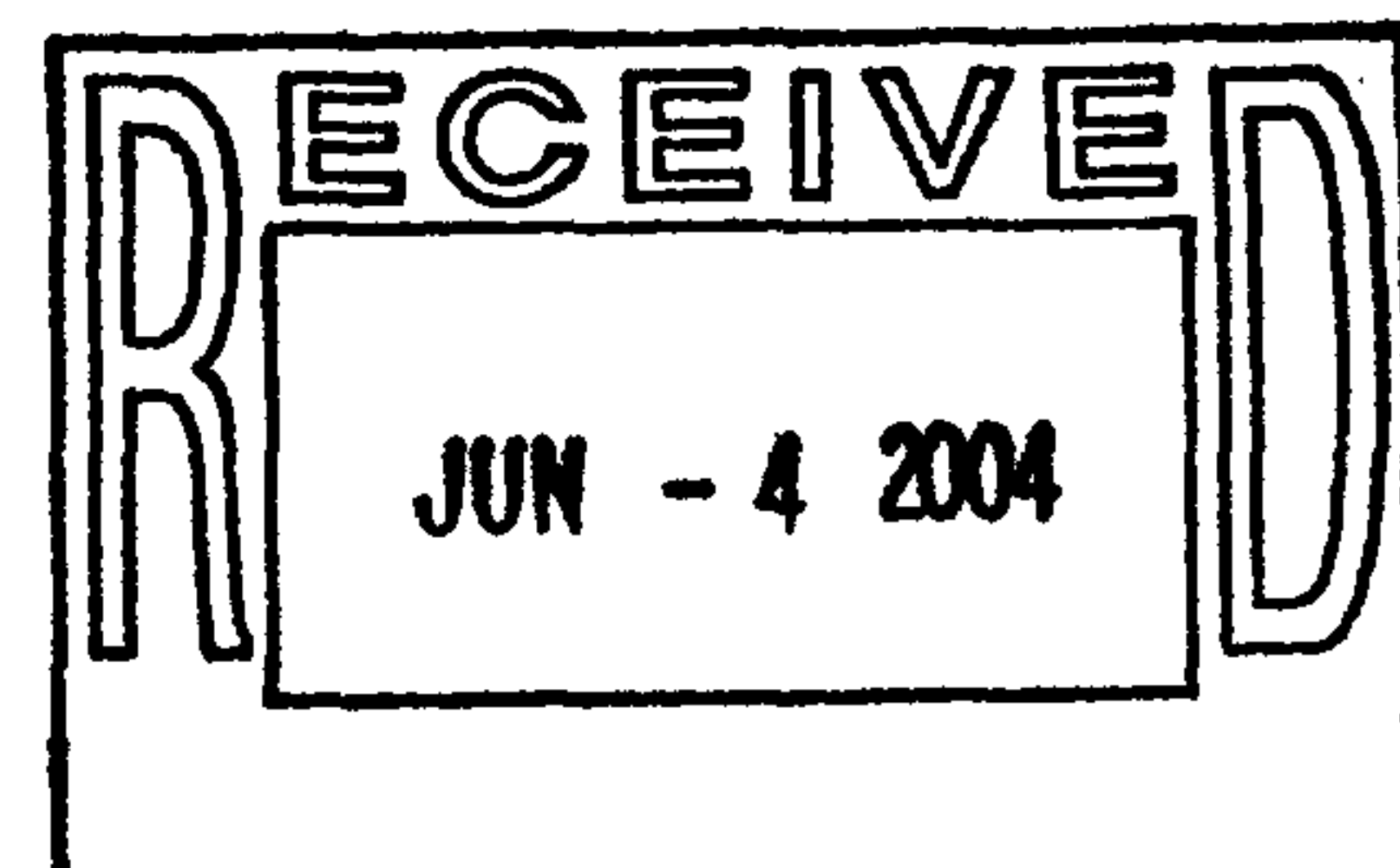
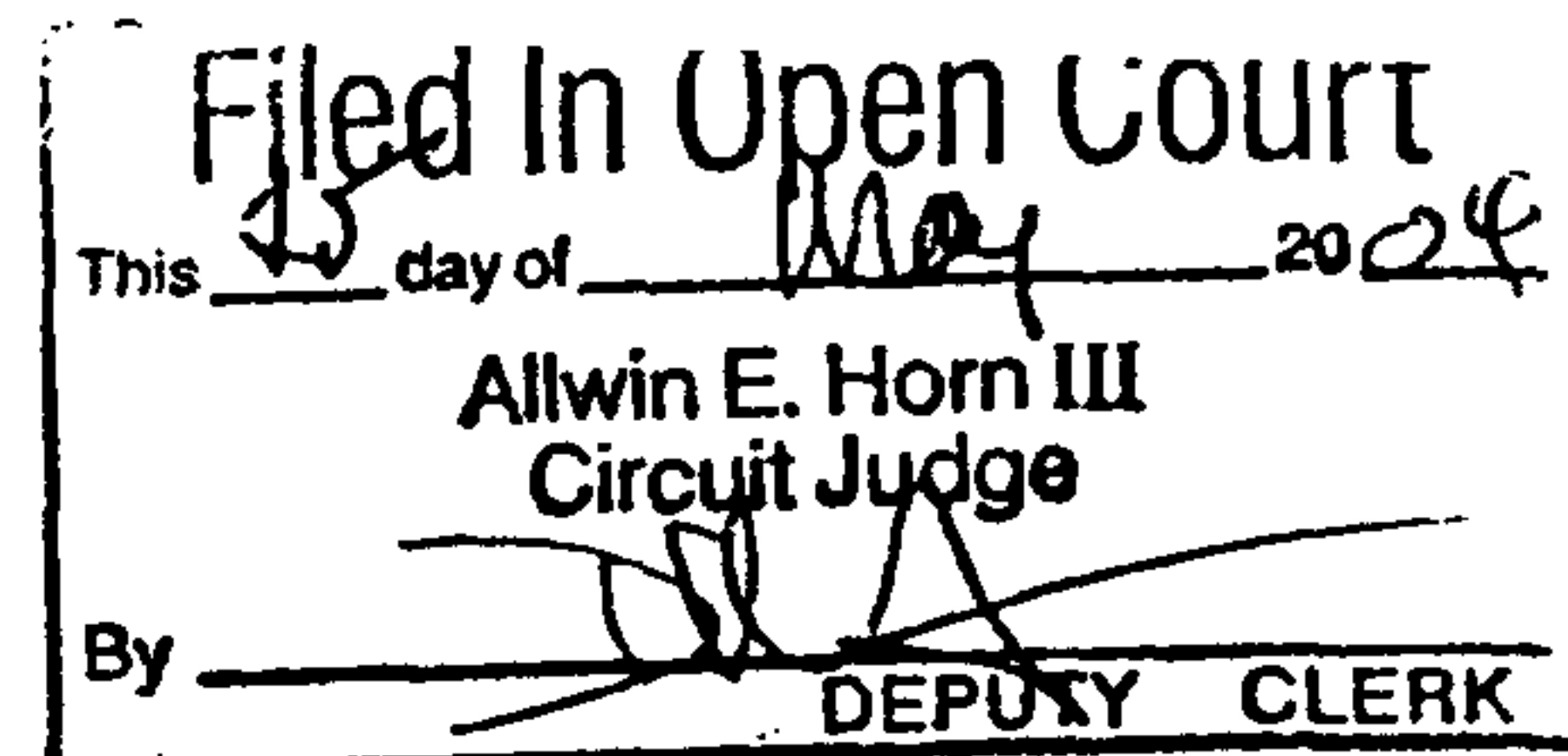
v.)

ALL WEIGH SCALE, INC.,)

Defendant.)

CIVIL ACTION NO.

CV - 02-7327



ORDER

This matter came before the Court on May 24, 2004, for a hearing on Plaintiff's Amended Motion for Summary Judgment and Evidentiary Submissions, including the affidavit of Emily Bonds. Defendant has not filed any opposition or response to Plaintiff's Motion. The Plaintiff's Motion for Summary Judgment and Evidentiary Submissions show the following:

1. Defendant, All Weigh Scale, Inc. ("All Weigh"), is indebted to Plaintiff, Morgan Buildings & Spas, Inc. ("Morgan"), in the amount of \$19,072.93, plus interest, costs of this action and attorneys fees, pursuant to the contract entered into between the parties on March 20, 2001.
2. Morgan has incurred expenses in connection with the collection of All Weigh's indebtedness, which include attorneys fees and expenses in the amount of \$4230.71, plus court costs.
3. All Weigh asserted counterclaims for misrepresentation and breach of contract arising out of the March 20, 2001 contract. All Weigh has not established any of the elements of its counterclaims. Additionally, All Weigh has not served responses to Morgan's Second Requests for Production or Requests for Admission which were served on December 15, 2003, or provided signed responses to Morgan's Interrogatories and First Requests for Production or