

IN THE CHANCERY COURT FOR BEDFORD COUNTY, TENNESSEE
AT SHELBYVILLE

ROGERS GROUP, INC.,)
)
Plaintiff,)
)
v.) No. 25,302
)
JOLLY ENTERPRISES, INC.; RUSSELL)
JOLLY, Individually; LOWE'S HOME)
CENTERS, INC.; ST. PAUL FIRE &)
MARINE INSURANCE COMPANY; and)
RCR BUILDING CORPORATION,)
)
Defendants.)

ORDER GRANTING DEFAULT JUDGMENT
AGAINST DEFENDANT JOLLY ENTERPRISES, INC.

This matter came on to be heard before this Honorable Court on Friday, October 22, 2004, upon the Motion for Default Judgment Against Defendants Russell Jolly, Individually, and Jolly Enterprises, Inc. filed by the Plaintiff. The Court finds the following: (1) Defendant Russell Jolly filed Chapter 7 bankruptcy with the U.S. Bankruptcy Court for the Northern District of Alabama (Case 04-05936); and (2) Defendant Jolly Enterprises, Inc. failed to answer, defend, or otherwise appear as required by the Tennessee Rules of Civil Procedure and the Local Rules of this Court.

Accordingly, the Court hereby grants a default judgment against Defendant Jolly Enterprises, Inc. in the amount of \$43,246.38, which consists of \$35,167.49 in unpaid principal indebtedness, plus interest thereon in the total amount of \$4,049.49, and actual and estimated attorney's fees in the amount of \$4,029.40, pursuant to the Credit Application and personal guaranty, dated July 23, 2003. It is accordingly

ORDERED, ADJUDGED AND DECREED that Plaintiff is awarded a default judgment against Defendant Jolly Enterprises, Inc. in the total amount of \$43,246.38 as of today's date, and that post-judgment interest will continue to accrue on this judgment indebtedness at the statutory

rate allowed by law. All costs in this cause are taxed to Defendant Jolly Enterprises, Inc., for which execution may issue.

IT IS SO ORDERED this 22ND day of October, 2004.

J. B. Cox
Chancellor

SUBMITTED AND APPROVED
FOR ENTRY:

[Signature]

Daniel H. Puryear; No. 18190
John A. Mueller; No. 22954
144 Second Avenue North
The Pilcher Building, Suite 333
Nashville, TN 37201
(615) 255-4849

Attorneys for Rogers Group, Inc.

RECEIVED FROM Chancellor Cox
DATE 10/22/04 9:50 am

FILED & ENTERED IN MINUTE BOOK 117 PAGE 35

[Signature]
CLERK and MASTER

STATE OF TENNESSEE, BEDFORD COUNTY
I the undersigned Chancery Court Clerk, do hereby
certify that this is a true and correct copy of a decree
entered 10/22/04, Minute Book 117, Page 35
as appears of record in this office.

This the 1st day of November, 2004

Patricia Finney Clerk & Master
By Barbara Garland Deputy C & M

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via first class, U.S. Mail, postage prepaid to:

Gregory L. Cashion
Smith & Cashion, PLC
424 Church Street
SunTrust Financial Center, Suite 1200
Nashville, TN 37219

Russell Jolly
1037 Greystone Cove Drive
Birmingham AL 35242-7050

Jolly Enterprises, Inc.
Serve: Registered Agent, Russell Jolly
1037 Greystone Cove Drive
Birmingham AL 35242-7050

on this the 22 day of October, 2004