

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

RONALD R. DAY,

Plaintiff,

v.

CYNTHIA F. BRASHER,

Defendant.

CIVIL ACTION NO. 05-1301

CV 2005-1301

and correct copy

11-29-06

Mary H. Harris *MHB*
Circuit & District Clerk
Shelby County, Alabama

ORDER

This cause came before the Court on Plaintiffs' Motion for Summary Judgment. Having considered the motion, the submissions and arguments of counsel, and the applicable law, the Court finds that the contract made the basis of this suit is unambiguous, and due to be enforced according to its terms. The Court finds that there are no genuine issues of material fact, and that Plaintiff is entitled to judgment as a matter of law.

Wherefore, premises considered, it is ORDERED that Plaintiff's Motion for Summary Judgment is due to be, and it hereby is, GRANTED: Judgment is entered in favor of plaintiff Ronald R. Day and against defendant Cynthia F. Brasher in the amount of \$13,187.50 for which execution may issue. Said judgment includes the principal balance due and owing under the terms of the contract in the amount of \$12,500.00, plus prejudgment interest accrued in the amount of \$687.50.

The costs of court are taxed to Defendant.

DONE and ORDERED this 5th day of October, 2006.

Hub Harrington
Hub Harrington, Circuit Judge