


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION


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Bk: LR200704 Pg:22438
Jefferson County, Alabama
I certify this instrument filed on
03/14/2007 04:26:59 PM LN
Judge of Probate- Alan L. King


ROLAND MARKETING, INC., et al.,
Plaintiffs,

v.

ALFRED LAWRENCE MERRILL, et al

Defendants.

Case Number: 91-C-1511-S


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Shelby Cnty Judge of Probate, AL
03/15/2007 11:39:44AM FILED/CERT

ADAMS BROTHERS PRODUCE
COMPANY, INC.,

Plaintiff,

v.

A. L. MERRILL, et al.,

Defendants.

Case Number: 91-C-2249-S

CERTIFICATE OF JUDGMENT

I, **Sharon Harris**, Clerk of the United States District Court for the Northern District of Alabama, do hereby certify that on the 25th day of February, 1993, a Judgment was rendered in the United States District Court for the Northern District of Alabama and was revived on the 6th day of March, 2007 in the above-styled cause, wherein judgment was entered by the Court in favor of each of the plaintiffs as set out; Roland Marketing, Inc., in the amount of \$25,757.07, plus interest of \$2,316.80; AAOC, Inc. dba All American of California, in the amount of \$246,831.72, plus interest of \$22,092.20; Action Produce, in the amount of \$3,940.05, plus interest of \$406.63; Adams Brothers Produce Company, Inc., in the amount of \$7,357.03, plus interest of \$609.10; Kash Dovolis dba American food Service in the amount of \$11,573.07, plus interest of \$1,207.90; R & A Atagi Produce in the amount of \$19,409.33, plus interest of \$1,935.09; Blue Jack Marketing, Inc., in the amount of \$95,901.60, plus interest of \$8,825.31; Boskovich Farms, Inc., in the amount of \$19,277.55, plus interest of \$1,898.38; Cardinal Distributing Co., Inc., in the amount of \$8,798.12, plus interest of \$929.09; Coastal Berry Corp., in the amount of \$1,163.63, plus interest of \$87.28; Dole Fresh Fruit Company in the amount of \$710.79, plus interest of \$74.68; Dole Fresh Vegetables, Inc., in the amount of \$28,641.26, plus interest of \$2,787.83; E.A.T. Fresh Produce, Inc., in the amount of \$24,168.32, plus interest of \$2,430.36; Flavor-Pic Tomato Co., Inc., in the amount of \$23,683.34, plus interest of \$2,013.43; Joe Genova & Associates, Inc., in the amount of \$60,301.83, plus interest of \$6,916.18; Growers Vegetable Express, in the amount of \$20,188.61, plus interest of \$1,883.13; Hines and Company, Inc., in the amount of \$1,212.20, plus interest of \$145.81; Kern Ridge Growers, Inc., in the amount of \$5,727.45, plus interest of \$636.04; Merrill Farms Corporation, in the amount of \$8,032.03, plus interest of \$866.19; Monterey Mushrooms, Inc. (Loudon), in the amount of \$2,062.74, plus interest

of \$169.44; Monterey Mushrooms, Inc. (Watsonville), in the amount of \$1,806.69, plus interest of \$147.98; Okray Family Farms, in the amount \$5,701.85, plus interest of \$690.50; Sam Perricone Citrus Co., in the amount of \$9,675.86, plus interest of \$1,238.05; The Players Sales, Inc., in the amount of \$25,364.07, plus interest of \$2,113.48; Scherer Bros. Corporation, in the amount of \$9,092.11, plus interest of \$465.38; Seashore Fruit & Produce West, Inc., in the amount of \$11,230.37, plus interest of \$946.91; Tuchten-Altman Company, in the amount of \$18,611.45, plus interest of \$1,400.30; Turbana Fruit, in the amount of \$7,290.72, plus interest of \$947.27; Floyd Wilcox and Sons, Inc., in the amount of \$12,912.65, plus interest of \$1,167.21; AAOC, Inc. dba All American of California in the amount of \$26,748.75; Kash Dovolis dba American Food Service, in the amount of \$20,899.36; Harvey F. Brush dba Bruch Ranches, in the amount of \$28,765.55; Cardinal Distributing Co., Inc., in the amount of \$2,957.00; Cornucopia Trading Co., in the amount of \$28,801.57; D'Arrigo Bros. of California in the amount of \$4,578.00; Desert Distributing Co., in the amount of \$5,379.00; Dole Fresh Vegetables, Inc., in the amount of \$7,681.20; E.A.T. Fresh Produce, Inc., in the amount of \$71.25; Golden Plains, Inc., in the amount \$5,770.80; H & H Orchards Packing Co., in the amount of \$13,066.90; Macchiaroli Citrus Co., Inc., in the amount \$14,175.00; Monterey Mushrooms, Inc. (Loudon), in the amount of \$1,912.50; Monterey Mushrooms, Inc. (Watsonville), in the amount of \$1,763.75; Okray Family Farms, in the amount of \$22,101.65; The Players Sales, Inc., in the amount of \$2,039.00; San Miguel Produce, Inc., in the amount of \$3,330.60; Schaffner Packing, Inc., in the amount of \$5,164.30; Scherer Bros. Corporation, in the amount of \$30,122.53; Seashore Fruit & Produce West, Inc., in the amount of \$24,909.55 against defendant Alfred Lawrence Merrill, whose address is 2516 2nd Street West, PO Box 12001, Birmingham, AL 35202; plus interest at the rate of 3.36% from the date of said judgment.

Further finding in favor of plaintiffs Roland Marketing, Inc., in the amount of \$2,722.50; AAOC, Inc. dba All American of California, in the amount of \$26,115.50; Action Produce, in the amount of \$420.00; Adams Brothers Produce Company, Inc., in the amount of \$780.00; Kash Dovolis dba American Food Service, in the amount of \$1,222.50; R & A Atagi Produce in the amount of \$2,025.00; Blue Jack Marketing, Inc., in the amount of \$9,607.50; Boskwovich Farms, Inc., in the amount of \$2,040.00; Cardinal Distributing Co., Inc., in the amount of \$930.00; Coastal Berry Corp., in the amount of \$120.00; Dole Fresh Fruit Company, in the amount of \$75.00; Dole Fresh Vegetables, Inc., in the amount of \$3,000.00; E.A.T. Fresh Produce, Inc., in the amount of \$2,467.50; Flavor-Pic Tomato Co., Inc., in the amount of \$2,475.00; Joe Genova & Associates, Inc., in the amount of \$6,352.50; Growers Vegetable Express, in the amount of \$2,137.50; Hines and Company, Inc., in the amount of \$127.50; Kern Ridge Growers, Inc., in the amount of \$607.50; Merrill Farms Corporation, in the amount \$847.50; Monterey Mushrooms, Inc. (Loudon), in the amount of \$217.50; Monterey Mushrooms, Inc. (Watsonville), in the amount of \$187.50; Okray Family Farms, in the amount of \$607.50; Sam Perricone Citrus Co., in the amount of \$1,027.50; The Players Sales, Inc., in the amount of \$2,655.00; Scherer Bros. Corporation, in the amount of \$960.00; Seashore Fruit & Produce West, Inc., in the amount of \$1,192.50; Tuchten-Altman Company, in the amount of \$1,942.50; Turbana Fruit, in the amount of \$772.50; Floyd Wilcox and Sons, Inc., in the amount of \$1,365.00 against defendant Caroline Merrill, whose address is 2129 Garland Drive, Birmingham, AL 35216; plus interest at the rate of 3.36% from the date

of said judgment; and that E. Farley Moody, II and Harold A. Bowron, III is Counsel of Record for plaintiffs in said causes.

WITNESS My Hand and Seal of this Court on March 9, 2007.

SHARON N. HARRIS, CLERK

By: Shirley Brown
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION



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Shelby Cnty Judge of Probate, AL
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**ROLAND MARKETING, INC., ET
AL.,**

Plaintiffs,

vs.

LARRY MERRILL, ET AL.,

Defendants.

Civil Action Number
2:91-cv-1511-UWC

ORDER REVIVING JUDGMENT


This case is before the Court on Roland Marketing, Inc., et al., ("Plaintiffs") Motion to Renew or Revise Judgment, (Doc. 76). Plaintiffs seek to revive the judgment they obtained from Larry Merrill, et al., ("Defendants") on February 25, 1993, (Doc. 70).

Alabama law provides that a judgment can be revived until the lapse of twenty years from its entry. *See* Ala. Code § 6-9-190. Plaintiffs are attempting to revive their judgment against Defendants within twenty years from its entry. Accordingly, the judgment rendered on February 25, 1993, can be properly revived.

However, Alabama Code Section 6-9-191 provides, "If 10 years have elapsed from the entry of the judgment without issue of execution . . . the judgment must be presumed satisfied, and the burden of proving it not satisfied is upon the plaintiff." Here, Plaintiffs have submitted an affidavit demonstrating that the judgment remains unpaid. (Doc. 79,

Lawrence H. Meuers Aff. at 4.) Therefore, this Court has determined that Plaintiffs'

Motion is due to be GRANTED. The Court ORDERS as follows:


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- A. The registered judgment is revived without interruption;
- B. The lien of the registered judgment continues and is renewed without interruption; and
- C. That a copy of the Order so renewing and continuing the registered judgment will be attached to any certification of the judgment issued by the Clerk of this Court.

The Court further directs the clerk of the court to enter a certificate of judgment in this case. This case shall thereafter be dismissed because no matters remain for resolution by the Court.

Done the 6th day of March, 2007.

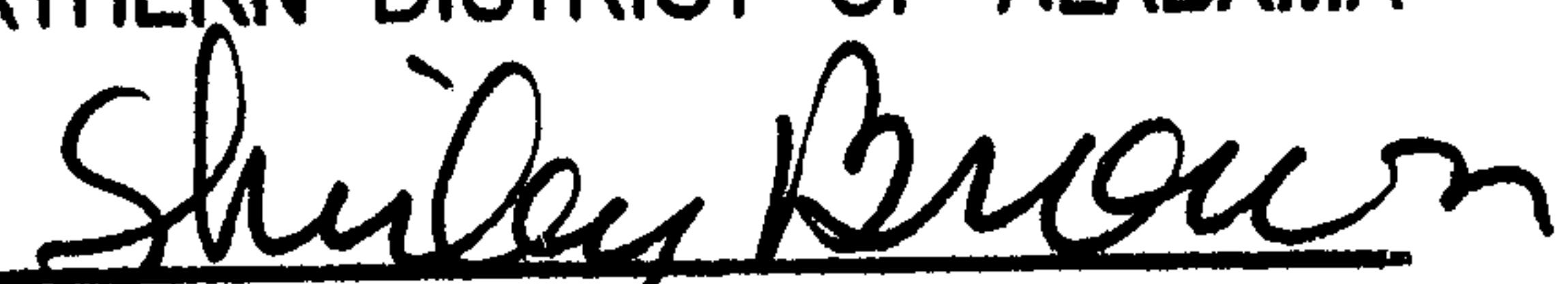


U.W. Clemon
United States District Judge

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Fee - \$14.50

Total of Fees and Taxes-\$14.50
LASHUNTA

A TRUE COPY
SHARON N. HARRIS, CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

BY: 
DEPUTY CLERK