

HUB B HARRINGTON

IN THE CIRCUIT COURT OF SHELBY COUNTY

BARRY JOHNSON VS PENNY ALLEN ET AL

DEFENDANT

PARTY'S ATTORNEY:

ALLEN PENNY  
354 HWY 54

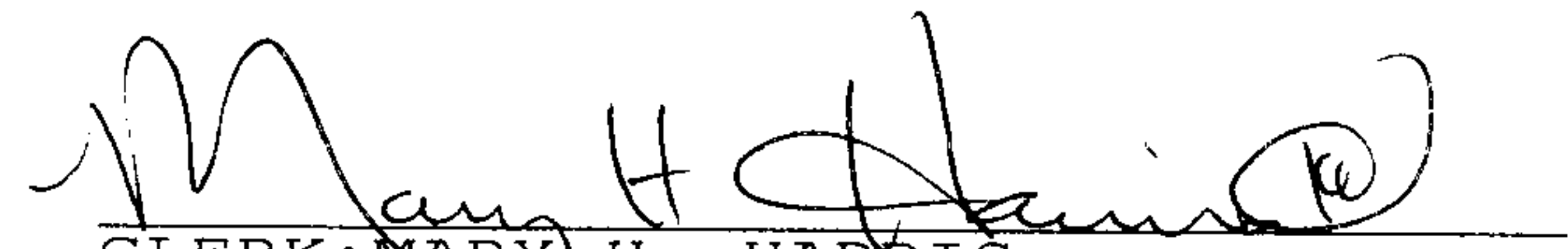
SMITHERMAN CHRISTOPHER R  
725 WEST STREET

MONTEVALLO ,AL 35115-0000

MONTEVALLO ,AL 35115

I, MARY H. HARRIS , CLERK OF THE ABOVE NAMED COURT HEREBY  
CERTIFY THAT ON 04/28/2009 PLAINTIFF, JOHNSON BARRY RECOVERED  
OF DEFENDANT IN SAID COURT A JUDGMENT WITHOUT WAIVER OF EXEMPTIONS FOR THE  
SUM OF \$12,500.00 DOLLARS PLUS \$222.00 DOLLARS COURT COSTS, AND  
THAT THE PLAINTIFF'S ATTORNEY(S) OF RECORD WAS:  
THOMAS CLINT CHRISTOPHER

GIVEN UNDER MY HAND THIS DATE 04/29/2009

  
CLERK: MARY H. HARRIS  
P.O. BOX 1810  
COLUMBIANA AL 35051  
(205) 669-3760

WEBSITE: [HTTP://18JC.ALACOURT.GOV](http://18JC.ALACOURT.GOV)

OPERATOR: KAL  
PREPARED: 04/29/2009

PLAINTIFF'S ATTORNEY:

THOMAS CLINT CHRISTOPHER  
P O BOX 1422

CALERA AL 35040



20090501000161150 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
05/01/2009 10:52:31 AM FILED/CERT



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

Barry Johnson,

Plaintiff,

v.

Penny Allen, et al.,

Defendants.

CIVIL ACTION NO.:  
CV 2006-929



20090501000161150 2/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
05/01/2009 10:52:31 AM FILED/CERT

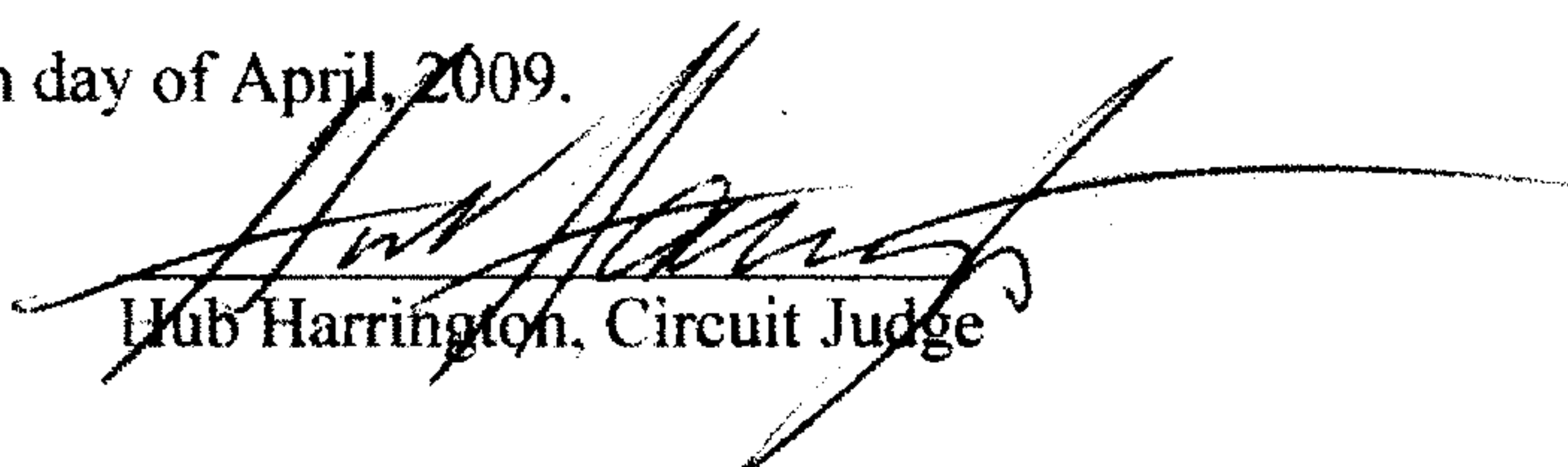
**FINAL ORDER OF JUDGMENT**

This cause came before the court for trial. Having considered the testimony and the demeanor of the witnesses, the exhibits admitted at trial, the arguments of counsel and the applicable law, the court finds that the plaintiff is entitled to possession of the equipment listed on attached Exhibit A, which said equipment has been wrongfully detained by Defendants. Accordingly, it is ORDERED that judgment be, and it hereby is, entered in favor of Plaintiff and against Defendants, and that possession of the equipment as described on the attached Exhibit A is hereby awarded to Plaintiff for which execution may issue.

Should Plaintiff be unable to recover said equipment, judgment is hereby entered in favor of Plaintiff and against Defendants in the amount of \$1.00 (One and 00/100 Dollar) which represents the present alternative value of the equipment that has long since been depreciated and has now exceeded its life expectancy. It is further ORDERED that judgment in the amount of \$12,500.00 is hereby entered in favor of Plaintiff and against Defendants for damages incurred by Plaintiff as a result of Defendants' wrongful detention of Plaintiff's equipment. Said judgment constitutes the reasonable rental value of the equipment from mid-2004 when Defendants took possession of it, until the equipment value became negligible.

The costs of court are taxed to Defendants.

**DONE and ORDERED** this 28th day of April, 2009.

  
Hub Harrington, Circuit Judge



CV 2006-929  
EXHIBIT A  
EQUIPMENT LIST

  
20090501000161150 3/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
05/01/2009 10:52:31 AM FILED/CERT

1. 72" Prep-table
2. Pizza Oven
3. Display
4. Convection Oven
5. Menu Boards
6. Cash Register
7. 3 Basin Sink
8. 2 Door Refrigerator
9. 2 Door Freezer
10. Stainless Steel Table
11. Bottom of Ice Maker (bin)