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Shelby Cnty Judge of Probate, AL
06/10/2010 09:49:32 AM FILED/CERT

**IN THE CIRCUIT COURT IN
AND FOR BAY COUNTY, FLORIDA**

TRUSTMARK NATIONAL BANK,
144 Harrison Avenue
Panama City, FL 32401

Plaintiff,

vs.

BEACH DUNES OF PCB, LLC a/k/a
BEACH DUNES OF PANAMA CITY BEACH, LLC,
URBAN 86, INC., HENRY LAWRENCE PERRY,
JAMES C. BOYKIN, JOSEPH E. OTTINGER, and
JOSEPH M. OTTINGER,

Defendants.

Case No. 2009-1285-CA

FILED
2009 OCT -6 A 9:59
BILL KINSAUL
CLERK OF COURT
BAY COUNTY FLORIDA

FINAL SUMMARY JUDGMENT

THIS CAUSE having come before the Court upon Plaintiff's Motion for Summary Judgment as to Defendants, BEACH DUNES OF PCB, LLC a/k/a BEACH DUNES OF PANAMA CITY BEACH, LLC, URBAN 86, INC., HENRY LAWRENCE PERRY, JAMES C. BOYKIN, and JOSEPH M. OTTINGER, and the Court being fully advised in the premises, it is

ORDERED and ADJUDGED that:

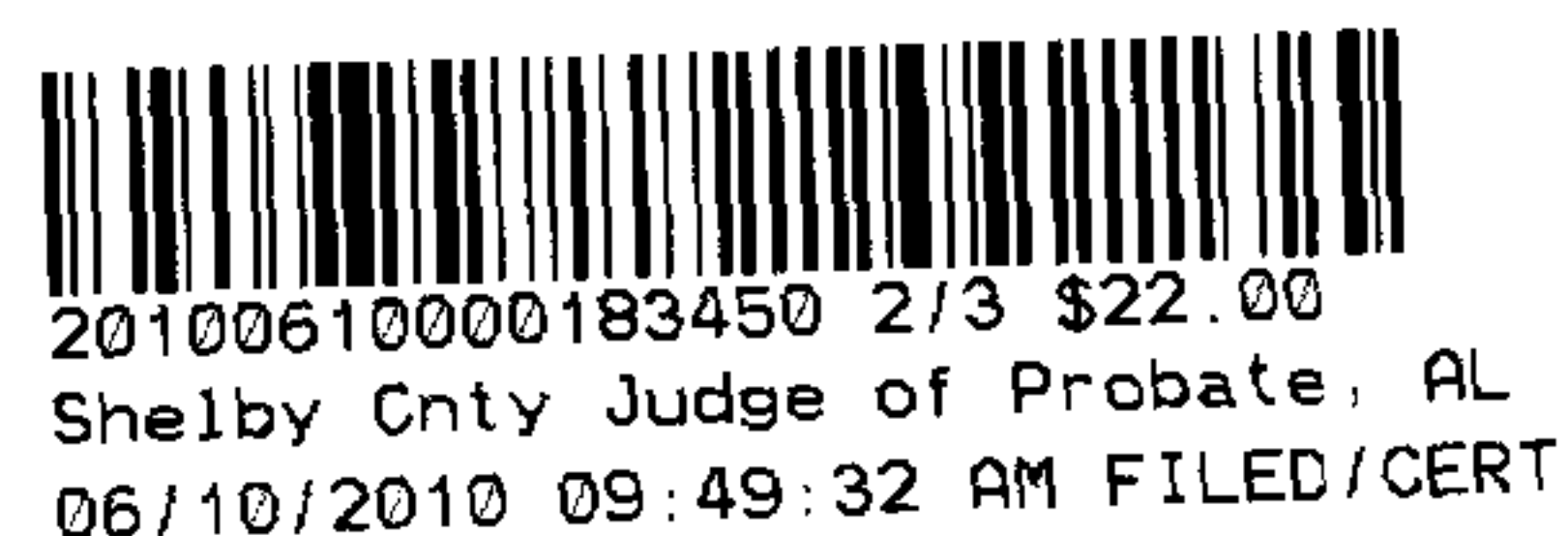
1. Plaintiff, TRUSTMARK NATIONAL BANK, recover from Defendants, BEACH DUNES OF PCB, LLC a/k/a BEACH DUNES OF PANAMA CITY BEACH, LLC, URBAN 86, INC., HENRY LAWRENCE PERRY, JAMES C. BOYKIN, and JOSEPH M. OTTINGER, the following sums:

Principal	\$1,002,000.74
Interest as of October 6, 2009	\$ 55,235.52
Late Fees	\$ 52,091.51
Court Costs	\$ 895.00
Attorneys' Fees	\$ 8,000.00
TOTAL	<u>\$1,118,222.76</u>

which shall accrue interest at the statutory interest at the rate of 8% per annum FOR ALL OF WHICH LET EXECUTION ISSUE.

2. Defendants, HENRY LAWRENCE PERRY, JAMES C. BOYKIN, and JOSEPH M. OTTINGER, are ordered to complete, under oath, Form 1.997(a) of the Florida Rules of

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Civil Procedure, including all required attachments, and serve it on Plaintiff's attorney within 45 days of the date of this final judgment unless the final judgment is satisfied or post-judgment discovery is stayed.

3. Defendants, BEACH DUNES OF PCB, LLC a/k/a BEACH DUNES OF PANAMA CITY BEACH, LLC, URBAN 86, INC., are ordered to complete, under oath, Form 1.997(b) of the Florida Rules of Civil Procedure, including all required attachments, and serve it on Plaintiff's attorney within 45 days of the date of this final judgment unless the final judgment is satisfied or post-judgment discovery is stayed.

4. This Court reserves jurisdiction as to:

a. Plaintiff's claim against Defendant, JOSEPH E. OTTINGER. The Court notes that there is an automatic stay as to said Defendant as a result of his Chapter 7 Bankruptcy filed in the United States Bankruptcy Court, Northern District of Florida; however, a discharge has not been entered as of the date of entry of this judgment; and

b. Further orders that are proper including an order to compel Defendants to complete Forms 1.977(a) & (b), including all required attachments, and serve it on Plaintiff's attorney.

5. Plaintiff, TRUSTMARK NATIONAL BANK's address is 144 Harrison Avenue, Panama City, FL 32401.

DONE AND ORDERED in Chambers in Bay County, Florida this 6 day of October, 2009.


DEDEE COSTELLO
CIRCUIT JUDGE

S.

Conformed copies to:
Stephen A. Pitre, Esquire
Henry L. Perry, Esquire
Jennifer A. Wintrode, Esquire



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STATE OF FLORIDA
COUNTY OF BAY

I, Bill Kinsaul, Clerk of the Circuit Court of Bay County, in and for said State, hereby certify that the foregoing attached papers and documents are true and correct copies of the proceedings in the case of 09-1285CA, TRUSTMARK NATIONAL BANK vs BEACH DUNES OF PCB, LLC et. al. in said Court, and that I have under the authority vested in me, affixed the seal of the said Court hereto, and that said attestation is in due form of law.

Given under my hand and official seal this January 4, 2010.


Clerk of the Circuit Court in and
for Bay County, Florida

STATE OF FLORIDA
COUNTY OF BAY

I, Honorable Judge DEDEE S. COSTELLO, one of the Judges of the Circuit Court of the Fourteenth Judicial Circuit of Florida, in and for Bay County, do hereby certify that Bill Kinsaul is the duly constituted Clerk of the Court for Bay County, Florida; that he is the custodian of the records of said Court; that he has authority in law to make the foregoing attestation and affix the seal of said court thereto and that full faith and credit are due to his official acts; and that his foregoing attestation and the affixing of said seal is in due form of law.

Given under my hand this 4 day of January, 2010.



Circuit Court Judge

STATE OF FLORIDA
COUNTY OF BAY

I, Bill Kinsaul, Clerk of the Circuit Court of Bay County, Florida do hereby certify that Judge , DEDEE S. COSTELLO, whose name is signed to the foregoing certificate, is one of the duly authorized and constituted Judges for the Fourteenth Judicial Circuit of Florida, in and for Bay County, that said Court is a Court of record; that at the time of making of said foregoing certificate, said Judge was one of the Judges of this Court, duly qualified to act as such; that I am well acquainted with the handwriting of said Judge of said Court; and that the signature set to the said certificate is genuine.

The testimony whereof, I have hereunto set my hand and affixed the official seal of said Court on

4, day of January, 2010.


Clerk of the Circuit Court in and for
Bay County, Florida