## UNITED STATES BANKRUPTCY COURT For the Northern District of Alabama Southern Division

RE:		
Roger Dale Barker	<b>§</b>	
Debtor	§	20161114000418360 1/3 \$21.00 Shelby Cnty Judge of Probate, AL
	§	11/14/2016 12:30:17 PM FILED/CERT
Buffalo Rock Company	§	
Plaintiff	§	
	§	
VS.	§	CASE NO. 11-04346-TOM-7
	§	
Roger Dale Barker	§	
PO Box 380366	§	
Birmingham, AL 35238	§	AP NO. 11-00415
Defendant	§	

## CERTIFICATE OF JUDGMENT

I, Joseph E. Bulgarella, Clerk of the United States Bankruptcy Court for the Northern District of Alabama, do hereby certify that on October 26, 2016, a Judgment was rendered in the United State Bankruptcy Court for the Northern District of Alabama, Southern Division in the above-style case wherein it was **ORDERED** by the Court that:

Buffalo Rock Company obtained a Judgment against Roger Dale Barker for the sum of \$2,215,000 (Two Million Two Hundred Fifteen Thousand Dollars).

C. Taylor Crockett is the Attorney of Record for Roger Dale Barker in said case.

In testimony whereof I have hereunto set my hand at <u>Birmingham</u>, <u>Alabama</u> in said District, this the Northern District of Alabama, Southern Division.

Joseph E. Bulgarella, Clerk United States Bankruptcy Court

By: /s/ Leigh Tumlin
Deputy Clerk

Date of issuance: November 10, 2016

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

In re ROGER DALE BARKER,	)	CASE NO. 11-04346-TOM11
Debtor.	)	
	, , , , , , , , , , , , , , , , , , ,	
BUFFALO ROCK COMPANY,	)	
Plaintiff,	)	ADVERSARY PROCEEDING NO. 11-00415-TOM
<b>V</b> .	)	
ROGER DALE BARKER,	)	20161114000418360 2/3 \$21.00
Defendant.	)	Shelby Cnty Judge of Probate, AL 11/14/2016 12:30:17 PM FILED/CERT
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## **JUDGMENT**

Pursuant to Fed. R. Bankr. P. 7058 and Fed. R. Civ. P. 58(a), and in conformity with the Court's September 29, 2016 Order Granting Buffalo Rock Company's Motion for Summary Judgment Regarding John Hancock Life Insurance Company's (U.S.A.) Complaint in Intervention (doc. 448), as amended on October 26, 2016, and the Court's September 29, 2016 Order Granting Buffalo Rock Company's Motion for Summary Judgment on Counts One, Two, Three, Five, Six, and Seven of Buffalo Rock Company's First Complaint and Counts Two and Three of Buffalo Rock Company's Second Complaint (Doc. 449), as amended on October 26, 2016, it is hereby

ORDERED, ADJUDGED, AND DECREED that a JUDGMENT in favor of Buffalo Rock Company is hereby entered declaring that Buffalo Rock Company is the sole owner and beneficiary of the John Hancock Life Insurance Company (U.S.A.) life-insurance policy n issued to Roger D. Barker (the "Hancock Policy") and that Buffalo Rock Company has

been the sole owner and beneficiary of the Hancock policy since June 1, 2011. Further, Aliant

Bank has no interest in the Hancock Policy and has never held any interest in the Hancock

Policy.

It is FURTHER ORDERED, ADJUDGED, AND DECREED that the Severance

Agreement is a valid and enforceable contract as set forth more fully in this Court's Order of

September 29, 2016, as amended.

It is FURTHER ORDERED, ADJUDGED, AND DECREED that the Barker

Arbitration is permanently enjoined.

It is FURTHER ORDERED, ADJUDGED, AND DECREED that the Trustee and the

Debtor, or anyone acting by or through the Trustee or the Debtor, are precluded from asserting

claims that the Severance Agreement constitutes a voidable transfer in the future.

It is FURTHER ORDERED, ADJUDGED, AND DECREED that a JUDGMENT in

favor of Buffalo Rock and against the Debtor, Roger Dale Barker, is hereby entered in the total

aggregate amount of Two Million Two Hundred Fifteen Thousand Dollars (\$2,215,000).

It is FURTHER ORDERED, ADJUDGED, AND DECREED that this Debt owed to

Buffalo Rock by the Debtor, Roger Dale Barker, is NONDISCHARGEABLE pursuant to 11

U.S.C. § 523(a)(6); 11 U.S.C. § 523(a)(2)(A); and/or 11 U.S.C. § 523(a)(2)(B), and shall be

excepted from discharge should one be entered in the Debtor's bankruptcy case.

It is FURTHER ORDERED, ADJUDGED, AND DECREED that this Judgment is

subject to post-judgment interest pursuant to 28 U.S.C. § 1961.

Dated: October 26, 2016

/s/ Tamara O. Mitchell TAMARA O. MITCHELL

United States Bankruptcy Judge

Shelby Cnty Judge of Probate, AL

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