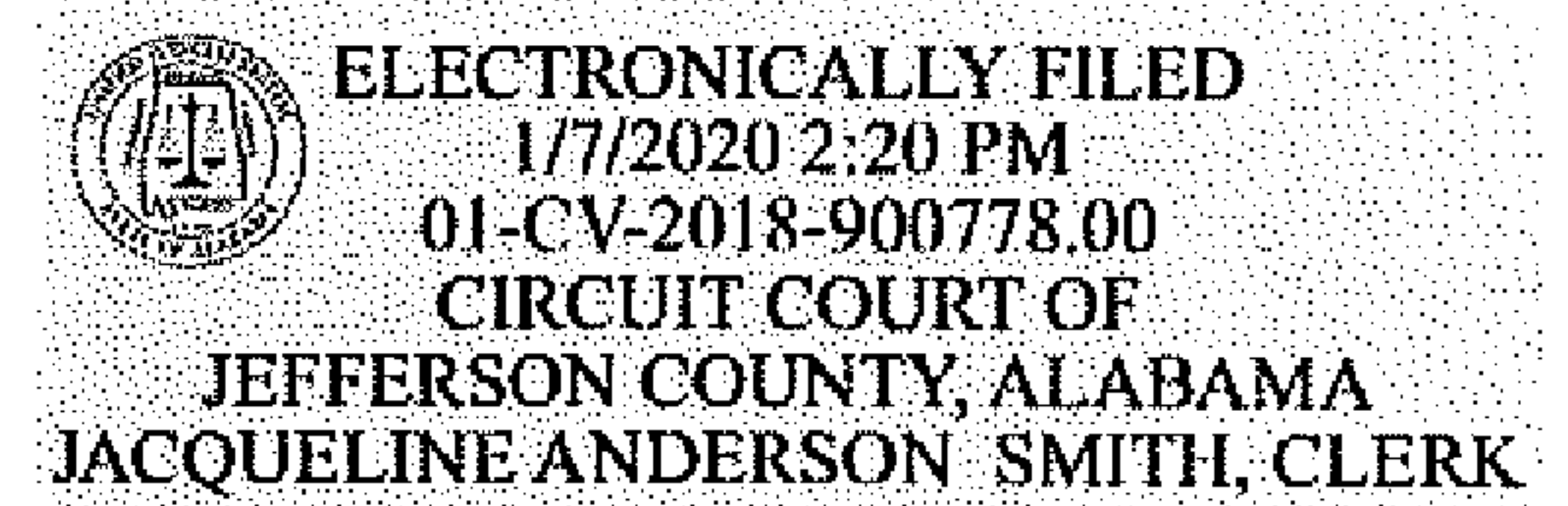


DOCUMENT 132



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA  
BIRMINGHAM DIVISION**

MAGIC CITY CAPITAL LLC, )  
Plaintiff, )  
 )  
V. )  
 )  
TRAMMEL REALTY INC; )  
PROWLER SUPPLY INC; )  
JAMES PRESTON TRAMMEL, )  
Defendants. )

**CV-2018-900778-MJH**

**ORDER**

Before the Court are Plaintiff MAGIC CITY CAPITAL, LLC'S (hereinafter "Magic City Capital") MOTION FOR SANCTIONS [Doc. 100] and MOTION FOR SUMMARY JUDGMENT [Doc. 109]. Both motions were heard before the undersigned at a HEARING on November 26, 2019. Counsel for Magic City Capital was present while Defendant appeared *Pro Se*. The Court first takes up Magic City Capital's MOTION FOR SANCTIONS.

**MOTION FOR SANCTIONS**

Magic City Capital moves this Court to enter an order pursuant to Rule 37 of the Alabama Rules of Civil Procedure, striking and dismissing Defendants' defenses against Magic City Capital and awarding Magic City Capital reasonable expenses, including attorney's fees. The Court notes that Defendants have repeatedly failed and/or refused to respond to Magic City Capital's propounded interrogatories and request for production by ignoring this Court's ORDER compelling discovery [Doc. 84] and ignoring deadlines as set forth in the TRIAL SCHEDULING ORDER [Doc. 86]. The Court agrees with Magic City Capital's assertion that Defendant's failure and/or refusal to respond has unfairly prejudiced the Plaintiff and therefore FINDS that Magic City Capital's MOTION FOR SANCTIONS is due to be **GRANTED**.

**MOTION FOR SUMMARY JUDGMENT**

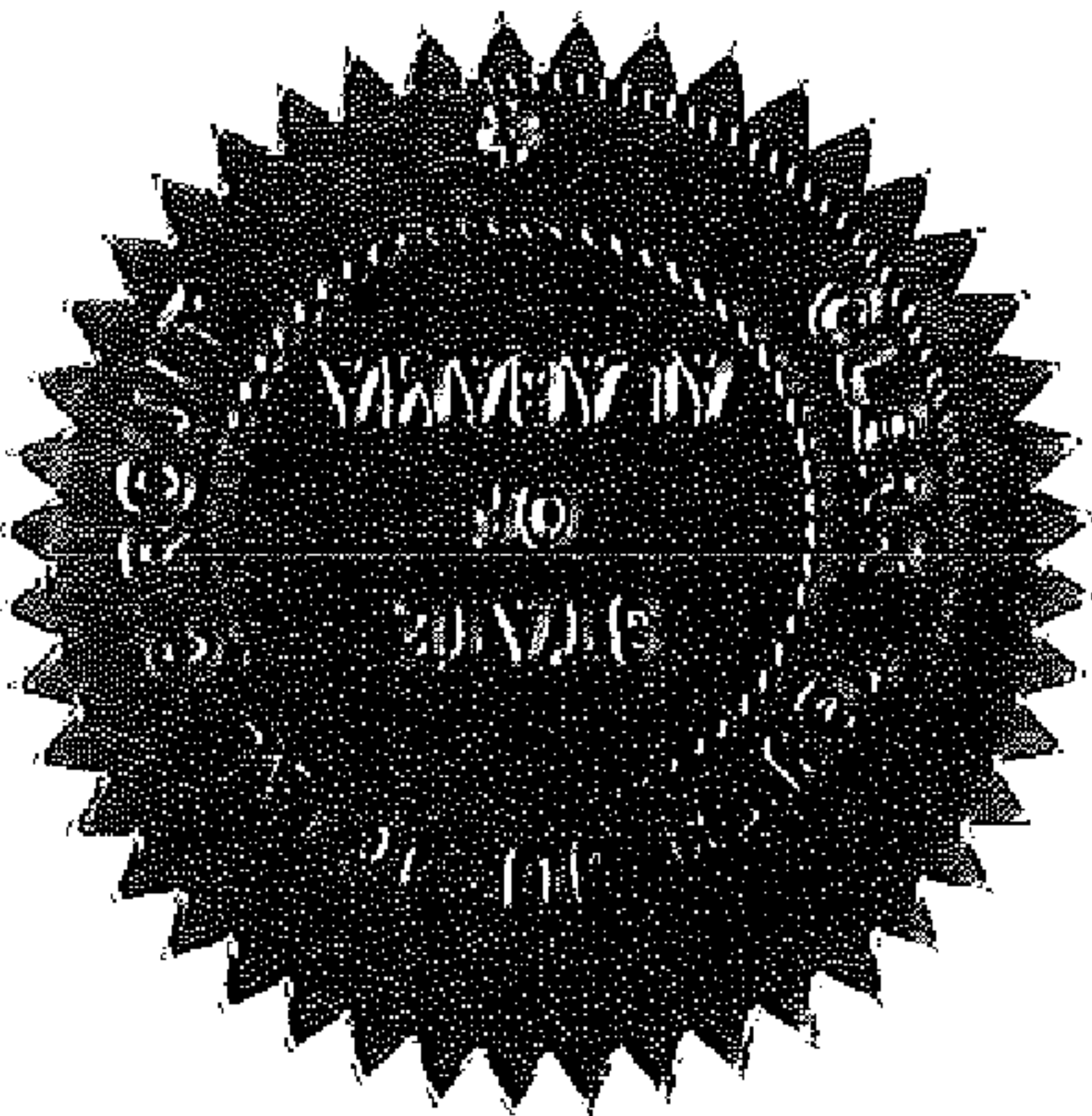
The Court, having received Magic City Capital's MOTION FOR SUMMARY JUDGMENT on October 16, 2019, and having received no opposition thereto from the Defendants, FINDS that there

**/s/ MARSHALL JACKSON HATCHER**  
**CIRCUIT JUDGE**



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
02/12/2020 09:08:46 AM  
\$29.00 CHERRY  
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*Allie S. Bayl*



I, Jacqueline Anderson Smith, Clerk of the Circuit Court of Jefferson County, do hereby certify that the foregoing is a true and correct copy of the instrument herewith set out as appears of the record in said Court, consisting of 2 pages.

WITNESS my hand and the seal of said Court this 7<sup>TH</sup> day of FEBRUARY, 20 20

*Jacqueline Anderson Smith*  
Clerk

*[Signature]*