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Shelby Cnty Judge of Probate, AL
11/22/2021 11:34:28 AM FILED/CERT

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

**GEORGE “JERRY” KLAMER AND
LISA G. KLAMER,**

Plaintiffs,

v.

**BUILDER SYSTEMS, LLC, CHARLES
“CHUCK” KITCHEN, individually,
JASON HAUPT, individually, and
EMPLOYERS MUTUAL CASUALTY
COMPANY.**

Defendants.

CASE NUMBER: 58-CV-2017-900440

REMOVAL OF CERTIFICATE OF JUDGMENT

Plaintiffs George “Jerry” Klammer and Lisa G. Klammer (“Klammers” or “Plaintiffs”) by and through undersigned counsel, files this Removal of Certificate of Judgment and states as follows:

1. The Circuit Court of Shelby County entered an Amended Order on August 12, 2020 (the “Amended Order”) which resolved all issues and claims between Plaintiffs and Builder Systems in case number 58-CV-2017-900440.
2. On November 4, 2020, Plaintiffs filed a Motion for Entry of Final Judgment.
3. On February 11, 2021, the Circuit Court of Shelby County issued a Second Amended Order that directed the entry of a final judgment in favor of Plaintiffs against Builder Systems in the amount of \$134,723.50.
4. On April 6, 2021, the Clerk of the Circuit Court of Shelby County issued a Certificate of Judgment in the amount of \$134,723.50.
5. Builder Systems appealed the Second Amended Order to the Supreme Court of Alabama.



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6. On September 30, 2021, the Supreme Court of Alabama issued an opinion stating that the Circuit Court's Second Amended Order could not be a final judgment.

7. Because the Supreme Court of Alabama concluded the Court's Second Amended Order was not a final judgment, Plaintiffs request that the Certificate of Judgment in the amount of \$134,723.50 recorded in the Office of the Shelby County Probate Court on April 20, 2021 at Instrument #20210420000196480 be removed.

Respectfully submitted,

David W. Owen (OWE028)

Attorney for George "Jerry" and Lisa G. Klammer

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