

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MOBILE ALABAMA ASSOCIATES,)	
LLC,)	
)	
Plaintiff/Counter-Defendant,)	
)	
vs.)	Civil Action No. 07-0432-CG-B
)	
HOEPPNER CONSTRUCTION)	
COMPANY,)	
)	
Defendant/Counter-Claimant.)	

JUDGMENT

In accordance with the verdict of the jury entered on March 13, 2009, finding for the defendant Hoepner Construction Company (“Hoepner”) as to plaintiff’s claims, and finding for Hoepner as to its counter-claim, and awarding Hoepner damages in the amount of \$270,500.00, and pursuant to the stipulation of parties as to the judgment entered in Mobile County Circuit Court Case Number CV-07-900442, Apex Construction Corporation, LLC v. Hoepner Construction Corporation and Mobile Alabama Associates, LLC., which awarded Hoepner Construction Company damages in the amount of \$151,696.05, it is **ORDERED, ADJUDGED** and **DECREED** that **JUDGMENT** is entered in favor of the counter-claimant, Hoepner Construction Company, against counter-defendant Mobile Alabama Associates, LLC in the amount of FOUR HUNDRED TWENTY-TWO THOUSAND ONE HUNDRED NINETY-SIX DOLLARS AND 05/100 CENTS (\$422,196.05), plus fees, costs and interest to be determined by the court after further submissions by the parties.

The plaintiff’s claims against the defendant are hereby **DISMISSED WITH**

PREJUDICE.

DONE and ORDERED this the 18th day of March, 2009.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE