

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

GULF HIGHLANDS DEVELOPMENT,)
L.L.C.,)

Plaintiff,)

vs.)

CIVIL ACTION NO. 08-0278-CG-C

J. COLLIER MERRILL,)

Defendant.)

*****)

J. COLLIER MERRILL and)
FORT MORGAN I, L.L.C.,)

Counterclaim Plaintiffs,)

vs.)

GULF HIGHLANDS DEVELOPMENT)
L.L.C., and RON OWEN,)

Counterclaim Defendants.)

JUDGMENT

In accordance with the court's findings entered in its order on September 7, 2010, it is hereby ORDERED, ADJUDGED and DECREED that JUDGMENT be and is hereby entered in favor of defendant, J. Collier Merrill, and against the plaintiff, Gulf Highlands Development, L.L.C. as to the plaintiff's claim for breach of contract.

It is further, ORDERED, ADJUDGED and DECREED that JUDGMENT be and is hereby entered in favor of counterclaim defendants, Gulf Highlands and Ron Owen, and against counterclaim plaintiffs, J. Collier Merrill and Fort Morgan I, L.L.C., as to counterclaim plaintiffs' claim for unjust enrichment.

Unless the parties agree to bear their own costs, costs of defendant J. Collier Merrill are to be taxed against plaintiff Gulf Highlands Development, L.L.C., and costs of counterclaim defendants Gulf Highlands and Ron Owen are to be taxed against J. Collier Merrill and Fort Morgan I, L.L.C.

DONE and ORDERED this 8th day of September, 2010.

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