

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

<b>J. PHILIP HELTON,</b>	)	
<b>Plaintiff/Counterclaim-Defendant,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>J. PHILIP HELTON REAL ESTATE AND DEVELOPMENT, INC.,</b>	)	<b>CIVIL ACTION NO. 10-00563-KD-N</b>
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>VISION BANK,</b>	)	
<b>Defendant/Counterclaim-Plaintiff.</b>	)	

**CHARGING ORDER AGAINST J. PHILIP HELTON**

Whereas, on September 8, 2011, this Court entered Judgment in favor of Defendant/Counterclaim-Plaintiff Vision Bank and against Plaintiff/Counterclaim-Defendant J. Philip Helton in the principal amount of \$398,435.67, plus accrued and unpaid interest in the amount of \$26,460.00, default interest of \$36,509.43, late charges of \$546.09, and \$7,038.86 of other charges and fees, for a total amount of \$468,990.05, as of July 15, 2011, with per diem interest in the amount of \$35.97 continuing to accrue on the principal amount from July 15, 2011 until the date of Judgment (Doc. 32), and whereas this Court has since granted Vision Bank’s Application for a Charging Order Against J. Philip Helton’s Interests in LLCs (Doc. 37), it is hereby **ORDERED** and **ADJUDGED** that, pursuant to Rule 69(a)(1) of the Federal Rules of Civil Procedure and Section 10A-5-6.05 of the Alabama Code, the financial interests of J. Philip Helton in The Beach Party, LLC, Dalton & Helton, LLC, GC Development, LLC, Alabama Getaway, LLC, and PK Management, LLC (collectively, the “Limited Liability Companies”) be

charged with payment of the Judgment rendered in this action (less any payments or credits received), any accrued interest thereon, and costs.

It is **FURTHER ORDERED** that said Limited Liability Companies are to report and to distribute to Vision Bank any amounts that are otherwise to become due or distributable to J. Philip Helton.

**DONE and ORDERED** this the **23<sup>rd</sup>** day of **December 2011**.

/s/ Kristi K. DuBose

**KRISTI K. DuBOSE**

**UNITED STATES DISTRICT JUDGE**