



AlaFile E-Notice

11-CV-2018-900431.00

Judge: BRIAN P HOWELL

To: MICHAEL G DEAN
mdean@ago.state.al.us

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF CALHOUN COUNTY, ALABAMA

STATE OF ALABAMA ET AL V. AMERICAN PLUMBING AND SEPTIC SERVICE, LLC E
11-CV-2018-900431.00

The following matter was FILED on 8/15/2018 4:14:25 PM

C001 STATE OF ALABAMA
EMERGENCY MOTION FOR CLAIRFICATION
[Filer: DEAN MICHAEL GREGORY]

Notice Date: 8/15/2018 4:14:25 PM

KIM MCCARSON
CIRCUIT COURT CLERK
CALHOUN COUNTY, ALABAMA
25 WEST 11TH STREET
ANNISTON, AL, 36201

256-231-1750
Kim.McCarson@alacourt.gov

IN THE CIRCUIT COURT OF CALHOUN COUNTY, ALABAMA

STATE OF ALABAMA)	
Plaintiff,)	
)	
v.)	Case No. CV-18-900431.00
)	
AMERICAN PLUMBING AND)	
SEPTIC SERVICE, LLC, et al.)	
Defendants.)	

**STATE’S RESPONSE TO DEFENDANTS’
EMERGENCY MOTION FOR CLARIFICATION**

COMES NOW the Plaintiff, State of Alabama, and submits this response to the “Emergency Motion for Clarification” filed by Defendants American Plumbing Service, LLC, American Drain Cleaning & Plumbing Service, Richard J. Pesnell (“Josh Pesnell”), Jessica Pesnell, and Richard G. Pesnell. As grounds therefore, the State offers the following:

The Defendants request clarification about the status of RJP Industries, LLC, d/b/a Major League Restoration. RRJP Industries, LLC, is not named as a Defendant in the State’s complaint and is, therefore, not subject to the provisions of the TRO. In light of that, the State does not believe that additional clarification or modification of the TRO is necessary.

Respectfully submitted, this the 15th day of August, 2018.

Steve Marshall
Attorney General

/s/ Michael G. Dean
Michael G. Dean
Noel S. Barnes
Assistant Attorneys General
Attorneys for Plaintiff State of Alabama

Office of the Attorney General
Consumer Interest Division
P.O. Box 300152
501 Washington Avenue
Montgomery, Alabama 36130-0152
(334)242-7300; (334) 353-0415*
Fax: (334)242-2848

CERTIFICATE OF SERVICE

I hereby certify that, on this 15th day of August, 2018, I have served a copy of the foregoing upon counsel for the Defendants by mailing copies of the foregoing by email or by first-class U.S. Mail, at the following addresses:

Tabor R. Novak III
J. Scott Dickens
Starnes Davis Florie, LLP
100 Brookwood Place, 7th Floor
P. O. Box 598512
Birmingham, Alabama 35259-8512
tnovak@starneslaw.com
sdickens@starneslaw.com

Gregory C. Morgan
Charles P. Gaines
Gaines, Gaines, & Rasco, PC
127 North Street
Talladega, Alabama 35160
gregmorganlaw@gmail.com
melissa@gainesrasco.com

/s/ Michael G. Dean
Michael G. Dean
Assistant Attorney General