



AlaFile E-Notice

11-CV-2018-900431.00

Judge: BRIAN P HOWELL

To: DEAN MICHAEL GREGORY
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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

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IN THE CIRCUIT COURT OF CALHOUN COUNTY, ALABAMA
CASE NO.: 11-CV-2018-900431

THE STATE OF ALABAMA, et al

Plaintiffs,

vs.

AMERICAN PLUMBING AND SEPTIC SERVICE, LLC,
an Alabama corporation; *et al*,

Defendants.

**AGREED ORDER GRANTING RECEIVER'S UNOPPOSED MOTION TO
ABANDON, REJECT, RETURN OR LIQUIDATE PERSONAL PROPERTY**

THIS CAUSE is before the court upon Receiver Jeffrey C. Schneider's (the "Receiver") Motion to Abandon, Reject, Return, or Liquidate Personal Property (the "Motion"). The Court, having reviewed the Motion, been advised that the parties do not oppose the relief requested herein, and being otherwise advised in the premises, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The Motion is **GRANTED**. The Receiver has made a sufficient and proper showing in support of the relief requested.
2. Pursuant to this Court's September 14, 2018 Preliminary Injunction, the Receiver is permitted to terminate the Receivership Entities' leases for the following properties (the "Properties"):
 - Main office building with mailing address of 401 Hamric Dr., Oxford, AL 36203;
 - At a later time determined by the Receiver, the second building with a mailing and physical address of 401 Hamric Dr., Oxford, AL 36203.
3. The Receiver is authorized to use his discretion to donate any non-leased or non-financed office furniture or equipment (the "Contents") of the Receivership Entities located in the Properties to a local charity of his choice or abandon the Contents, as the Receiver deems appropriate.

4. The Receiver is authorized to use his discretion to terminate or reject any and all leases in the name of the Receivership Entities for vehicles and equipment.

5. The Receiver is authorized, using his discretion as to the timing of such actions, to terminate or reject ongoing service, insurance, and other utility contracts that were maintained by the Receivership Entities.

6. The Receiver is further authorized to negotiate a return of all financed vehicles, furniture, and equipment. To the extent the Receiver, in his discretion, determines that there may be residual value in that equipment after payment of amounts owed, then the Receiver is authorized to sell such vehicles, furniture, and equipment.

7. Lastly, the Receiver is authorized to use his best efforts and discretion to sell any personal property or equipment remaining on the Properties.

DONE and ORDERED in Chambers in Calhoun County, this 4th day of October, 2018.



HONORABLE BRIAN HOWELL
CIRCUIT COURT JUDGE

Copies provided to Receiver and counsel of record