



AlaFile E-Notice

11-CV-2018-900431.00

Judge: BRIAN P HOWELL

To: BARNES NOEL STEVEN
nbarnes@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 10/5/2018 1:52:18 PM

T001 GREENSKY, LLC
MOTION TO AMEND
[Filer: COX HALEY ANDREWS]

Notice Date: 10/5/2018 1:52:18 PM

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

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



ELECTRONICALLY FILED
10/5/2018 1:50 PM
11-CV-2018-900431.00
CIRCUIT COURT OF
CALHOUN COUNTY, ALABAMA
KIM MCCARSON, CLERK

STATE OF ALABAMA

Revised 3/5/08

Cas

Unified Judicial System

11-CALHOUN

 District Court
 Circuit Court

CV21

 STATE OF ALABAMA ET AL V. AMERICAN
PLUMBING AND SEPTIC SERVICE, LLC E
CIVIL MOTION COVER SHEET

Name of Filing Party: T001 - GREENSKY, LLC

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

 HALEY ANDREWS COX MS.
400 20TH STREET NORTH
BIRMINGHAM, AL 35203

Attorney Bar No.: AND095

 Oral Arguments Requested
TYPE OF MOTION**Motions Requiring Fee**

- Default Judgment (\$50.00)
Joinder in Other Party's Dispositive Motion
(i.e. Summary Judgment, Judgment on the Pleadings,
or other Dispositive Motion not pursuant to Rule 12(b))
(\$50.00)
- Judgment on the Pleadings (\$50.00)
- Motion to Dismiss, or in the Alternative
Summary Judgment (\$50.00)
- Renewed Dispositive Motion (Summary
Judgment, Judgment on the Pleadings, or other
Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- Summary Judgment pursuant to Rule 56 (\$50.00)
- Motion to Intervene (\$297.00)
- Other _____
pursuant to Rule _____ (\$50.00)

*Motion fees are enumerated in §12-19-71(a). Fees
pursuant to Local Act are not included. Please contact the
Clerk of the Court regarding applicable local fees.

 Local Court Costs \$ 0 _____
Motions Not Requiring Fee

- Add Party
- Amend
- Change of Venue/Transfer
- Compel
- Consolidation
- Continue
- Deposition
- Designate a Mediator
- Judgment as a Matter of Law (during Trial)
- Disburse Funds
- Extension of Time
- In Limine
- Joinder
- More Definite Statement
- Motion to Dismiss pursuant to Rule 12(b)
- New Trial
- Objection of Exemptions Claimed
- Pendente Lite
- Plaintiff's Motion to Dismiss
- Preliminary Injunction
- Protective Order
- Quash
- Release from Stay of Execution
- Sanctions
- Sever
- Special Practice in Alabama
- Stay
- Strike
- Supplement to Pending Motion
- Vacate or Modify
- Withdraw
- Other _____
pursuant to Rule _____ (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously
with this motion an Affidavit of Substantial Hardship or if you
are filing on behalf of an agency or department of the State,
county, or municipal government. (Pursuant to §6-5-1 Code
of Alabama (1975), governmental entities are exempt from
prepayment of filing fees)

Date:
10/5/2018 1:49:38 PM

Signature of Attorney or Party
/s/ HALEY ANDREWS COX MS.

*This Cover Sheet must be completed and submitted to the Clerk of Court upon the filing of any motion. Each motion should contain a separate Cover Sheet.

**Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



IN THE CIRCUIT COURT OF CALHOUN COUNTY, ALABAMA

STATE OF ALABAMA)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. CV18-900431
)	
AMERICAN PLUMBING AND SEPTIC)	
SERVICE, LLC, et al,)	
)	
Defendants.)	

**NON-PARTY GREENSKY, LLC’s MOTION TO AMEND
THE COURT’S OCTOBER 4, 2018 ORDER**

Non-party GreenSky, LLC (“GreenSky”) has received the Court’s October 4, 2018 Order regarding GreenSky’s “Objection to Stipulated Order for Permanent Injunction and Motion to Clarify,” and GreenSky is of course respectful of the Court’s directives. GreenSky is concerned, however, that customers who have no legitimate complaint about their loans might be tempted when contacted by the Receiver to contend they have a complaint if they perceive that by doing so they might avoid repaying their valid loan. GreenSky therefore makes a special appearance¹ to respectfully ask that the Court make it explicit that in pursuing the process outlined in its October 4 Order, the Receiver is to be careful to act as an impartial decision-maker and to do nothing to encourage or discourage any customer from asserting a complaint.

Respectfully submitted,

/s/ Haley A. Cox
Michael L. Bell (BEL007)
mbell@lightfootlaw.com
Haley A. Cox (AND095)
hcox@lightfootlaw.com

¹ By making this Motion, GreenSky is not making a general appearance in this action and retains, and does not waive, any and all objections and defenses that would be available to GreenSky should there be an attempt to make it a party.

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Attorneys for GreenSky, LLC

CERTIFICATE OF SERVICE

I certify that on October 5, 2018, I filed the foregoing through the Court's AlaFile electronic filing system, thereby providing a true and correct copy to all counsel of record in accordance with the Alabama Rules of Civil Procedure.

/s/ Haley A. Cox

Of Counsel