

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

JOHN R. BENN,

*

Plaintiff,

*

v.

*

Case Number: CV-2002-184

ROBERT NOVAK,

*

Defendant.

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ORDER ON PLAINTIFF'S MOTION TO STRIKE, PLAINTIFF'S MOTION TO DISMISS AND DEFENDANT'S MOTION FOR CONTINUANCE

This matter coming before the Court at its Motion Docket on November 19, 2002 and it appearing to the Court that Plaintiff withdraws his Motion to Strike this matter is deemed moot.

The Court upon consideration of Plaintiff's Motion to Dismiss Defendant's Counter-claim does Order, Adjudge and Decree that said Counter-claim fails to state a cause of action and said Counter-claim is hereby dismissed.

The Court also denies Defendant's Motion for Continuance and Amended Motion for Continuance in this case. The Court has previously granted Defendant Novak one requested continuance in this matter.

Done this the 22 day of Nov., 2002.


Circuit Court Judge

xc: Mr. John R. Benn
Mr. Robert Novak

FILED IN OFFICE
2002 NOV 22 PM 2:11
PHILLIP BOWLING
CIRCUIT COURT CLERK