



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, JUNE 24, 2011**

Cobb, C.J.

1091297 Loachapoka Water Authority, Inc. v. Water Works Board of the City of Auburn
(Appeal from Lee Circuit Court: CV-09-135).

RULE 54(b), ALA. R. CIV. P., CERTIFICATION SET ASIDE; REMANDED.

Circuit Judge, John V. Denson, II, (334) 749-7141
Apl. Atty., Kimberly Kelley, (256) 533-0202
Apl. Atty., Thomas Mark Maclin, (256) 232-2010
Apl. Atty., Richard J.R. Raleigh, Jr, (256) 533-0202
Apl. Atty., Stephen R. Windom, (334) 241-0078
Aple. Atty., Russell C. Balch, (334) 887-0884
Aple. Atty., James A. Byram, Jr, (334) 269-3159
Aple. Atty., Paul Anthony Clark, (334) 269-3141
Aple. Atty., Van C. Gholston, (334) 821-3892
Aple. Atty., James K Haygood, Jr, (334) 821-3892
Aple. Atty., Kelly F. Pate, (334) 269-3130
Aple. Atty., John Edwin Searcy, Jr, (334) 264-0400
Amicus Apl. Atty., P. Michael Cole, (256) 232-2010
Amicus Aple. Atty., J. Gorman Houston, Jr.
Amicus Aple. Atty., Robert Earl Sasser, (334) 532-3400
Amicus Aple. Atty., John E. Vickers, III, (334) 532-3400

1091461 The Greens at Auburn, an Arkansas limited partnership; The Greens at Auburn
Land Development, an Arkansas limited partnership; The Greens at Auburn Land
Holdings, LLC, an Arkansas limited liability company v. Water Works Board of
the City of Auburn (Appeal from Lee Circuit Court: CV-09-135).

RULE 54(b), ALA. R. CIV. P., CERTIFICATION SET ASIDE; REMANDED.

Circuit Judge, John V. Denson, II, (334) 749-7141
Apl. Atty., Russell C. Balch, (334) 887-0884
Resp. Atty., James A. Byram, Jr, (334) 269-3159
Aple. Atty., Paul Anthony Clark, (334) 269-3141
Resp. Atty., Van C. Gholston, (334) 821-3892
Resp. Atty., James K Haygood, Jr, (334) 821-3892

Bolin, J.

1100059 Dorothy Free v. Alan Lasseter and Church, Seay & Minor, P.C. (Appeal from Blount Circuit Court: CV-02-256.81).

Affirmed. No Opinion.

Circuit Judge, Anthony Clark Hall, (256) 549-5370
Apl. Atty., Mark Davidson Morrow, (205) 758-5596
Aple. Atty., Tamera K. Erskine, (205) 251-5885
Aple. Atty., A. Joe Peddy, (205) 251-5885

1100084 Ex parte Jonathan H. Waller et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Jackson & Tucker, P.C. et al. v. Jonathan H. Waller et al.) (Jefferson Circuit Court: CV-10-613).

Petition Denied. No Opinion.

Circuit Judge, Michael Gerard Graffeo, (205) 325-5644
Pet. Atty., Bruce F. Rogers, (205) 879-1100
Resp. Atty., Thomas E. Baddley, Jr, (205) 939-0090
Resp. Atty., Jeffrey P. Mauro, (205) 939-0090

1100382 Ex parte AGCO Corporation et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Robert Tucker, Jr., as the Administrator of the Estate of Leigha Ashlee Tucker, deceased v. AGCO Corporation et al.) (Bullock Circuit Court: CV-10-900027).

Petition Denied. No Opinion.

Circuit Judge, Bernard Smithart, (334) 738-3286
Pet. Atty., William Craig Hamilton, (251) 432-5300
Pet. Atty., Brian P. McCarthy, (251) 431-8806
Resp. Atty., J. Greg Allen, (334) 269-2343
Resp. Atty., Jere L. Beasley, (334) 269-2343
Resp. Atty., Christina Diane Crow, (334) 738-4225
Resp. Atty., Lynn W Jinks, III, (334) 738-4225
Resp. Atty., John William Partin, (334) 775-9778
Resp. Atty., Myron Cordell Penn, (334) 738-4486
Resp. Atty., Larry Shane Seaborn, (334) 775-9778

Parker, J.

1091490 Ex parte Mobile Infirmary Association d/b/a Mobile Infirmary Medical Center. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Ernest Shaw, as administrator of the estate of Mary H. Shaw, deceased v. Infirmary Health System, Inc., et al.) (Mobile Circuit Court: CV-09-902363).

Petition Granted. Writ Issued.

Circuit Judge, John Ray Lockett, (251) 574-8477
Pet. Atty., Annie J. Dike, (251) 432-5521
Pet. Atty., John N. Leach, (251) 432-5521
Pet. Atty., Aloysius Edwin Stuardi, III, (251) 432-5521
Resp. Atty., William M. Cunningham, Jr, (251) 432-0612
Resp. Atty., Clay T. Rossi, (251) 432-0612

Main, J.

1090709 Sherry McGowin v. Cincinnati Insurance Company and William B. Swanson (Appeal from Mobile Circuit Court: CV-08-901342).

Affirmed. No Opinion.

Circuit Judge, Robert Herschel Smith, (251) 251-8485
Apl. Atty., C S Chiepalich, (251) 478-1666
Apl. Atty., John Ronald Spencer, (251) 445-0590
Aple. Atty., G. Randall Spear, (251) 378-3636

1091070 Roberts Brothers, Inc., David Roberts, and John A. Roberts, Jr. v. Phillip Tyes, as administrator of the estate of Cynthia Ellis, deceased (Appeal from Mobile Circuit Court: CV-07-901186).

Affirmed. No Opinion.

Circuit Judge, Sarah Hicks Stewart, (251) 574-8457
Apl. Atty., William H Philpot, Jr, (251) 433-6900
Aple. Atty., Walter Gladstone Chavers, (251) 432-4070
Aple. Atty., Scott E Denson, (251) 433-2001
Aple. Atty., G. Rick Digorgio, (205) 328-2200
Aple. Atty., Kirk D. Smith, (205) 251-1000
Aple. Atty., Leila H. Watson, (205) 328-2200

1100780 Ex parte City of Mobile. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Hillcrest, Ltd. v. City of Mobile) (Mobile Circuit Court: CV-03-3091; Civil Appeals : 2090532).

Writ Denied. No Opinion.

Circuit Judge, Robert Herschel Smith, (251) 251-8485
Pet. Atty., K. Paul Carbo, Jr, (251) 665-7200
Resp. Atty., Bryan Gerard Duhe, (251) 479-6500

Wise, J.

1090356 Branded Trailer Sales, Inc. v. Universal Truckload Services, Inc. (Appeal from Tuscaloosa Circuit Court: CV-09-900065).

Reversed And Remanded.

Circuit Judge, Charles R. Malone, (205) 349-3870
Apl. Atty., Charles A. Hardin, (205) 344-6690
Apl. Atty., R. Bernard Harwood, (205) 344-5000
Apl. Atty., Chad Leland Hobbs, (205) 469-1149
Aple. Atty., Ryan Degraffenried, III, (205) 345-1314