



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, JULY 17, 2009**

Lyons, J.

- 1071708 Marcella Sparks v. Total Body Essential Nutrition, Inc., et al.; Cindi Howard, Marion Howard, and Joshua Taylor v. Total Body Essential Nutrition, Inc., et al. (Certified Question from the U.S. Dist. Ct., No. Dist. Al., E. Div.: CV-08-PT-1010-E; CV-08-PT-1012-E)).

Question Answered.

District Judge, Robert B. Propst, (205) 731-0291
Aplt. Atty., Joseph H. Driver, (205) 822-2006
Aplt. Atty., Thomas M Powell, (205) 879-1981
Aplt. Atty., Jeffrey Rickard, (205) 879-1981
Aple. Atty., Rod Cate, (251) 634-6274
Aple. Atty., Edgar Elliott
Aple. Atty., Glenn E. Ireland, (205) 822-2006
Aple. Atty., Duncan Y. Manley, (205) 795-6588
Aple. Atty., Jeffrey P. Montgomery, (256) 543-7570
Aple. Atty., Sean C. Pierce, (205) 970-0800
Aple. Atty., Sharon D. Stuart
Aple. Atty., Mark T. Waggoner, (205) 324-4400
Aple. Atty., Paul Zimmerman, (205) 795-6588

- 1080166 Gail Foster v. Porter Bridge Loan Company, Inc. (Appeal from Jefferson Circuit Court: CV-06-6938).

Affirmed.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Aplt. Atty., David Newton Cutchen, (205) 802-1301
Aple. Atty., James Herbert Wilson, (205) 251-5900

- 1070484 Helen Kathryn Wheeler et al. v. Randall L. George et al. (Appeal from Montgomery Circuit Court: CV-04-1434).

Affirmed In Part; Reversed In Part; Remanded.

Circuit Judge, Ben A. Fuller, (334) 361-3766
Aplt. Atty., Steve R. Burford, (205) 328-4100
Aplt. Atty., Jason E. Gammons, (205) 870-0555
Aplt. Atty., Erik S. Heninger, (205) 933-2345
Aplt. Atty., Stephen D. Heninger, (205) 326-3336
Aplt. Atty., Thomas S Hiley, (205) 328-4100
Aplt. Atty., Eugene P. Stutts, (205) 581-6263
Aple. Atty., Marc James Ayers, (205) 521-8598
Aple. Atty., Will Booker, (205) 870-0555
Aple. Atty., Scott A. Boykin, (205) 251-3000
Aple. Atty., Walter R. Byars

Aple. Atty., John F. DeBuys, Jr., (205) 251-3000
Aple. Atty., Joseph C. Espy, III, (334) 263-6621
Aple. Atty., Jesse P Evans, III, (205) 254-1431
Aple. Atty., Kim Fehl, (334) 241-2050
Aple. Atty., Thomas T. Gallion, III, (334) 265-8573
Aple. Atty., George H. Howell, (334) 365-2286
Aple. Atty., Albert L. Jordan, (205) 870-0555
Aple. Atty., Joseph B. Mays, Jr., (205) 521-8000
Aple. Atty., Tyrone C. Means, (334) 270-1033
Aple. Atty., Flynn Mozingo, (334) 263-6621
Aple. Atty., H. E. Nix, Jr., (334) 215-8585
Aple. Atty., Robert E. Poundstone, IV, (334) 956-7645
Aple. Atty., Constance Caldwell Walker, (334) 265-8573
Aple. Atty., Christopher K. Whitehead, (334) 270-1033
Aple. Atty., Murry S. Whitt, (334) 215-8585
Aple. Atty., Turner B Williams, (205) 251-3000
Amicus Aple. Atty. - Pro Hac, Lawrence Hamilton
Amicus Aple. Atty. - Pro Hac, Dominic C. MacKenzie, (904) 353-2000
Amicus Aple. Atty., Mary Pons, (334) 263-7594
Amicus Aple. Atty., James W. Porter, II, (205) 322-1744
Amicus Aple. Atty., Kenneth Smith, (334) 262-2566

1070487 Southdale, LLC v. Randall L. George et al. (Appeal from Montgomery Circuit Court: CV-04-1434).

Affirmed In Part; Reversed In Part; Remanded.

Circuit Judge, Ben A. Fuller, (334) 361-3766
Aplt. Atty., Erik S. Heninger, (205) 933-2345
Aplt. Atty., Stephen D. Heninger, (205) 326-3336
Aple. Atty., Scott A. Boykin, (205) 251-3000
Aple. Atty., Steve R. Burford, (205) 328-4100
Aple. Atty., Walter R. Byars
Aple. Atty., Chip W Cleveland, II, (334) 365-6266
Aple. Atty., John F. DeBuys, Jr., (205) 251-3000
Aple. Atty., Joseph C. Espy, III, (334) 263-6621
Aple. Atty., Kim Fehl, (334) 241-2050
Aple. Atty., Thomas T. Gallion, III, (334) 265-8573
Aple. Atty., Richard Gill, (334) 834-1180
Aple. Atty., Frank H. Hawthorne, Jr, (334) 269-5010
Aple. Atty., George H. Howell, (334) 365-2286
Aple. Atty., Albert L. Jordan, (205) 870-0555
Aple. Atty., James S. Lloyd, (205) 967-8822
Aple. Atty., Dominic C. MacKenzie, (904) 353-2000
Aple. Atty., Joseph B. Mays, Jr., (205) 521-8000
Aple. Atty., Tyrone C. Means, (334) 270-1033
Aple. Atty., H. E. Nix, Jr., (334) 215-8585
Aple. Atty., Robert E. Poundstone, IV, (334) 956-7645
Aple. Atty., Robert D Segall, (334) 834-1180
Aple. Atty., Eugene P. Stutts, (205) 581-6263
Aple. Atty., Constance Caldwell Walker, (334) 265-8573
Aple. Atty., Christopher K. Whitehead, (334) 270-1033
Aple. Atty., Murry S. Whitt, (334) 215-8585
Aple. Atty., Turner B Williams, (205) 251-3000

1070514 Todd Strange v. Helen Kathryn Wheeler et al. (Appeal from Montgomery Circuit Court: CV-04-1434).

Reversed And Remanded.

Circuit Judge, Ben A. Fuller, (334) 361-3766
Aplt. Atty., Jason E. Gammons, (205) 870-0555
Aplt. Atty., Albert L. Jordan, (205) 870-0555
Aple. Atty., Steve R. Burford, (205) 328-4100
Aple. Atty., Walter R. Byars
Aple. Atty., Chip W Cleveland, II, (334) 365-6266
Aple. Atty., John F. DeBuys, Jr., (205) 251-3000
Aple. Atty., Joseph C. Espy, III, (334) 263-6621
Aple. Atty., Jesse P Evans, III, (205) 254-1431
Aple. Atty., Kim Fehl, (334) 241-2050
Aple. Atty., Thomas T. Gallion, III, (334) 265-8573
Aple. Atty., Lawrence Hamilton
Aple. Atty., Stephen D. Heninger, (205) 326-3336
Aple. Atty., George H. Howell, (334) 365-2286
Aple. Atty., Joseph B. Mays, Jr., (205) 521-8000
Aple. Atty., Tyrone C. Means, (334) 270-1033
Aple. Atty., H. E. Nix, Jr., (334) 215-8585
Aple. Atty., Robert E. Poundstone, IV, (334) 956-7645
Aple. Atty., Eugene P. Stutts, (205) 581-6263
Aple. Atty., Christopher K. Whitehead, (334) 270-1033

Bolin, J.

1080451 Ex parte Michael Hardy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Alabama State Personnel Board v. Michael Hardy) (Montgomery Circuit Court: CV-07-1817; Civil Appeals : 2070589).

Writ Denied. No Opinion. (Special Writing)

Circuit Judge, Eugene W. Reese, (334) 832-1360
Pet. Atty., Monica Arrington, (334) 286-1944
Pet. Atty., Robert D Segall, (334) 834-1180
Pet. Atty., Theron Stokes, (334) .83-4.97
Resp. Asst. Atty. General, James W. Davis, (334) 353-1356

PER CURIAM

1060350 Roger Phillips and Annette Phillips v. Water Works & Sewer Board of the Town of Ariton (Appeal from Dale Circuit Court: CV-05-113).

Reversed And Remanded.

Circuit Judge, Philip B. McLauchlin, Jr., (334) 774-8011
Aplt. Atty., R. Rainer Cotter, III, (334) 347-2626
Aple. Atty., Henry B. Steagall, III, (334) 774-2501