

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:)	
)	
JEFFERSON COUNTY, ALABAMA,)	Case No. 11-05736-TBB9
a political subdivision of the State of)	
Alabama,)	Chapter 9
)	
Debtor.)	
)	

STIPULATED ORDER ALLOWING CLAIM OF JAMES PRUITT
(CLAIM NUMBER 395)

Based upon the stipulation of Jefferson County, Alabama (the "County") and James Pruitt (the "Claimant") to the following:

1. On November 9, 2011, the County filed a voluntary petition for relief under chapter 9 of title 11 of the United States Code, 11 U.S.C. § 101-1532 (the "Bankruptcy Code").
2. By order dated November 22, 2013 [Docket No. 2248] (the "Confirmation Order"), the Court confirmed the *Chapter 9 Plan of Adjustment for Jefferson County, Alabama (Dated November 6, 2013)* [Docket No. 2182] (the "Plan").¹
3. Pursuant to section 4.14(a) of the Plan, the County has "the sole right and authority" to settle and compromise creditors' claims after the Effective Date of the Plan.
4. The Effective Date of the Plan occurred on December 3, 2013. *See* Docket No. 2274.
5. On May 19, 2010 the Claimant filed a complaint (the "Complaint") against the County in the United States District Court for the Northern District of Alabama, Case No. 2:10-cv-01295-RRA (the "Action").

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings provided in the Plan or Confirmation Order.



6. On May 16, 2012, the Claimant filed proof of claim number 395 (as set forth in the claims register maintained by Kurtzman Carson Consultants LLC) in an undetermined amount (the "Claim").

7. On May 5, 2014, the County filed *Jefferson County's Limited Objection to Proof of Claim Number 395 Filed by James Pruitt* [Docket No. 2470] (the "Objection").

8. The County and the Claimant stipulate that the Claim is due to be allowed as an Allowed Class 6 Claim in the amount of \$90,000.00.

It is hereby ORDERED, ADJUDGED and DECREED as follows:

A. The Claim for damages, attorneys' fees, and costs, is hereby allowed as an Allowed Class 6 (General Unsecured Claim) under the Plan in the amount of \$90,000.00 (the "Allowed Claim").

B. The Objection is moot.

C. In accordance with and without limitation to the Plan and Confirmation Order, the allowance and treatment of the Allowed Claim pursuant to the Plan shall be in full and complete satisfaction and discharge of all claims the Claimant has asserted or may assert against the County, the Commission, County officials, and County employees relating to or arising from the events alleged in the Claim, the Complaint, and the Action, including, without limitation, all claims for damages, attorneys' fees, and costs.

D. Except as specifically set forth above, nothing herein shall act or be construed as a waiver or admission of facts, and all parties reserve all rights, claims, and defenses under the Plan and Confirmation Order.

E. This Stipulated Order is without prejudice to or waiver of the County's rights pursuant to section 904 of the Bankruptcy Code, and nothing herein is intended as or shall be deemed to constitute the County's consent to the Court's interference with (a) any of the political or governmental powers of the County, (b) any of the property or revenues of the County, or (c) the County's use or enjoyment of any income-producing property.

IT IS SO ORDERED this 23rd day of October, 2014.



HON. THOMAS B. BENNETT
UNITED STATES BANKRUPTCY JUDGE

Stipulated:

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