

United States District Court

FOR THE

SOUTHERN DISTRICT OF NEW YORK

RECAPTION FILE NO.

PENN-DIXIE INDUSTRIES, INC.

vs.

LISBON MOBILE CONCRETE, INC.

80 B 10473

80 B 10472

JUDGMENT

#81,0480

FILED U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF IOWA AUG 11 1981 \$1000 Filing Fee Paid BARBARA A. EVERLY, CLERK

DOCKET No. 81-90001

CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

I, Raymond F. Burghardt, Clerk of the United States District Court for the Southern District of New York

do hereby certify the annexed to be a true and correct copy of the original judgment entered in the above entitled action on May 4, 1981, as it appears of record in my office, and that

\* No notice of appeal from the said judgment has been filed in my office and time for appeal commenced to run May 4, 1981 upon entry of the judgment.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the said Court this 28th day of May, 1981.

Raymond F. Burghardt, Clerk By Ralph Cosenza, Deputy Clerk

\* When no notice of appeal from the judgment has been filed, insert "no notice of appeal from the said judgment has been filed in my office and the time for appeal commenced to run on [insert date] upon the entry of [If no motion of the character described in Rule 73(a) F.R.C.P. was filed, here insert 'the judgment', otherwise describe the nature of the order from the entry of which time for appeal is computed under that rule.] If an appeal was taken, insert "a notice of appeal from the said judgment was filed in my office on [insert date] and the judgment was affirmed by mandate of the Court of Appeals issued [insert date]" or "a notice of appeal from the said judgment was filed in my office on [insert date] and the appeal was dismissed by the [insert 'Court of Appeals' or 'District Court'] on [insert date]", as the case may be.

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Recorded Volume 1 Page 22

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x

In re : In Proceedings Under  
Chapter 11  
PENN-DIXIE INDUSTRIES, INC., :  
Debtor, : 80 B 10473  
80 B 10472

----- x

In re :  
PENN-DIXIE STEEL CORPORATION, :  
Debtor. :

----- x

PENN-DIXIE INDUSTRIES, INC., :  
Plaintiff, :  
- against - :

LISBON MOBILE CONCRETE, INC., :  
Defendant. :  
----- x

**FILED**  
APR 13 1981  
BURTON R. LIFLAND  
Bankruptcy Judge

# 81, 0480  
ORDER and judgment  
No. 81 B 5112 A

U. S. DISTRICT COURT  
FILED  
MAY 4 1981  
S. D. OF N. Y.

Plaintiff, PENN-DIXIE INDUSTRIES, INC., having commenced this action seeking to recover from defendant LISBON MOBILE CONCRETE, INC. \$4,644.07 for approximately 75 tons of cement sold and delivered on account plus interest;

And defendant LISBON MOBILE CONCRETE, INC. not having answered, moved, or otherwise objected the plaintiff's complaint;

(11A)

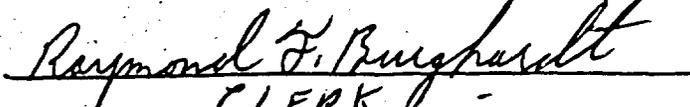
And the matter having duly come on to be heard at an inquest before this Court, United States Bankruptcy Court, Southern District of New York, Judge Burton R. Lifland presiding, on the 13th day of April, 1981 at 10:00 a.m., and testimony and other evidence having been received as to the amount of plaintiff's damages;

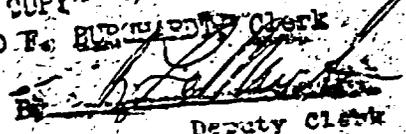
IT IS ORDERED that judgment be entered directing that the plaintiff Penn-Dixie Industries, Inc., a corporation organized under the laws of the State of Delaware, having its principal office at 1345 Avenue of the Americas, New York, New York 10019 recover of the defendant Lisbon Mobile Concrete, an Iowa Corporation having its principal place of business at 575 6th Street, Lisbon, Iowa 52253, the sum of \$4,644.07 plus interest.

Dated: New York, New York  
April 13, 1981

  
Burton R. Lifland  
U.S. Bankruptcy Judge

JUDGMENT ENTERED 5/4/81

  
CLERK

A TRUE COPY  
RAYMOND F. BUEHLER  
Deputy Clerk  
  
Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Index No. 81B5112A

PENN DIXIE INDUSTRIES, INC.

In Proceedings Under  
Chapter 11

Plaintiff

against

AFFIDAVIT OF SERVICE  
BY MAIL

LISBON MOBILE CONCRETE, INC.,

Defendant

STATE OF NEW YORK, COUNTY OF NEW YORK

ss.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at 159 Dawson Circle,  
Staten Island, New York 10314

That on June 5, 1981 deponent served the annexed

Order and Judgment  
on Lisbon Mobile Concrete, Inc.,  
~~and~~ ~~defendants~~ defendants herein  
~~in~~ ~~at~~ at 575 6th Street, Lisbon, Iowa 52253  
the address designated by said ~~defendant~~ for that purpose by depositing a true copy of same enclosed  
in a postpaid properly addressed wrapper, in ~~at~~ ~~post office~~ official depository under the exclusive care  
and custody of the United States Postal Service within the State of New York.

Sworn to before me 5th  
June, 1981

*Sandra Zivitz*  
The name signed must be printed beneath  
Sandra Zivitz

SAMUEL ADELSON  
Notary Public, State of New York  
No. 03-5023610  
Qualified in Bronx County  
Commission Expires March 30, 1982  
*S. Adelson*