



AlaFile E-Notice

42-CV-2020-900025.00

Judge: CALLIE C WALDREP

To: HALL GREGORY RICK
rhall@halltanner.com

NOTICE OF COURT ACTION

IN THE CIRCUIT COURT OF LAWRENCE COUNTY, ALABAMA

STEVEN BOOTH ET AL V. MS INDUSTRIES II, LLC ET AL
42-CV-2020-900025.00

A court action was entered in the above case on 6/6/2024 8:21:11 PM

ORDER

[Filer:]

Disposition: GRANTED

Judge: CCW

Notice Date: 6/6/2024 8:21:11 PM

SANDRA LIGON
CIRCUIT COURT CLERK
LAWRENCE COUNTY, ALABAMA
14451 MARKET STREET, SUITE 300
MOULTON, AL, 35650

256-974-2432



IN THE CIRCUIT COURT OF LAWRENCE COUNTY, ALABAMA

BOOTH STEVEN,)
S3B, LLLP,)
Plaintiffs,)
)
V.) Case No.: CV-2020-900025.00
)
MS INDUSTRIES II, LLC,)
SMITH STEVEN D.,)
SMITH MISTY,)
SMITH STEVEN D. ET AL,)
Defendants.)

ORDER OF PRO TANTO DISMISSAL WITH PREJUDICE

Upon, and in furtherance of, the Joint Stipulation of *Pro Tanto* Dismissal filed by Plaintiffs Steven Booth and S3B, LLLP and Defendants MS Industries II, LLC (“MSI”), Steven D. Smith (“Smith”), Misty Smith (“Misty”), Steven D. Smith as Trustee of Steven D. Smith Trust u/a/d June 15, 2015 (“Smith Trust”), Eternal Guardian Management, LLC (“EGM”), Eternal Guardian Investments, LLLP (“EGI”), Eternal Minerals South, LLC (“EMS”), Stone’s Landing, LLC (“Stones Landing”), and Celebrity Rides, LLC (“Celebrity,” and together with Smith, Misty, Smith Trust, EGM, EGI, EMS, and Stones Landing, the “Smith Defendants”), and pursuant to Alabama Rule of Civil Procedure 41(a), all claims asserted by Plaintiffs against MSI and the Smith Defendants, and all counterclaims asserted by MSI and the Smith Defendants against Plaintiffs, are hereby dismissed, with prejudice, each party to bear its own costs and expenses.

This Order of Dismissal is *pro tanto* in nature and is only applicable to

the parties set forth above. This Order of Dismissal is not with prejudice to, and does not limit, diminish, discharge, waive, or have res judicata or similar effect on, any claims, causes of action, or defenses asserted or to be asserted between or among the Plaintiffs, Joseph Reece (other than as trustee of the A1A Trust), Lee Moore (other than as trustee of the B1B Trust), or the law firm of RMP, LLP (and all of its officers, members, managers, employees, and subsidiaries), including, but not limited to, the claims currently pending in the case styled *Steven Booth and S3B, LLLP v. RMP, LLP, Joseph Reece, Lee Moore*, No. 72-CV-20-1524, in the Circuit Court of Washington County, Arkansas. The limitations to the scope of this dismissal as to Joseph Reece, Lee Moore, and RMP, LLP, apply regardless of any relationship between or among them and the A1A or B1B Trusts. As to all of them, in substance, only claims between Plaintiffs and the A1A and B1B Trusts are resolved.

DONE this 6th day of June, 2024.

/s/ CALLIE C WALDREP
CIRCUIT JUDGE